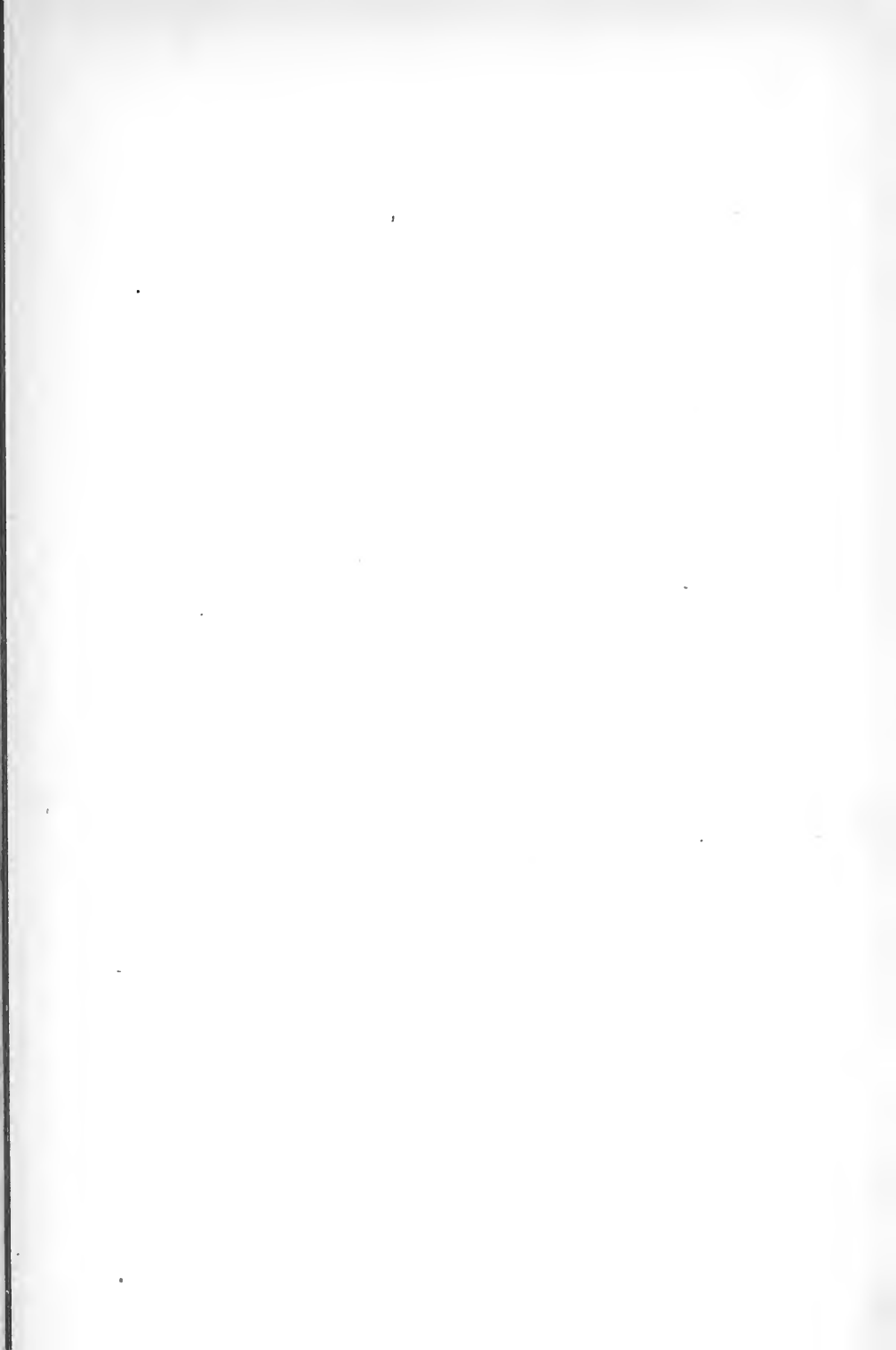
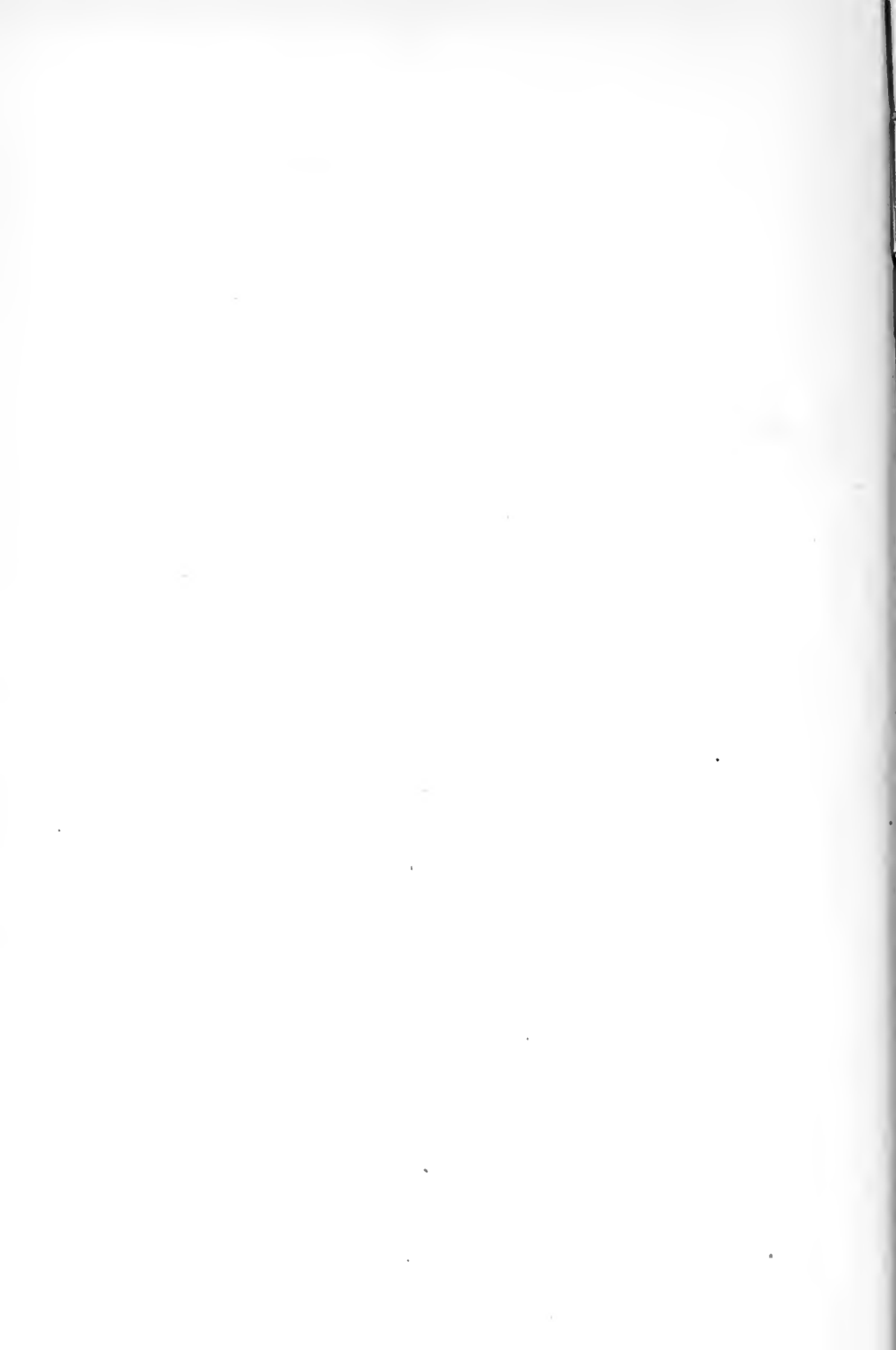


TRANSACTIONS AND REPORTS
OF THE
NEBRASKA
STATE HISTORICAL SOCIETY.
—
VOL. II.

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TRANSACTIONS AND REPORTS

OF THE

NEBRASKA

STATE HISTORICAL SOCIETY.

VOL. II.

NEBRASKA STATE
HISTORICAL SOCIETY

LINCOLN, NEB.:
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LINCOLN, NEBRASKA, January 1, 1887.

To the Hon. James W. Dawes, Governor of Nebraska:

SIR—In accordance with the provisions of law we herewith submit our report of the proceedings of the State Historical Society for the past two years.

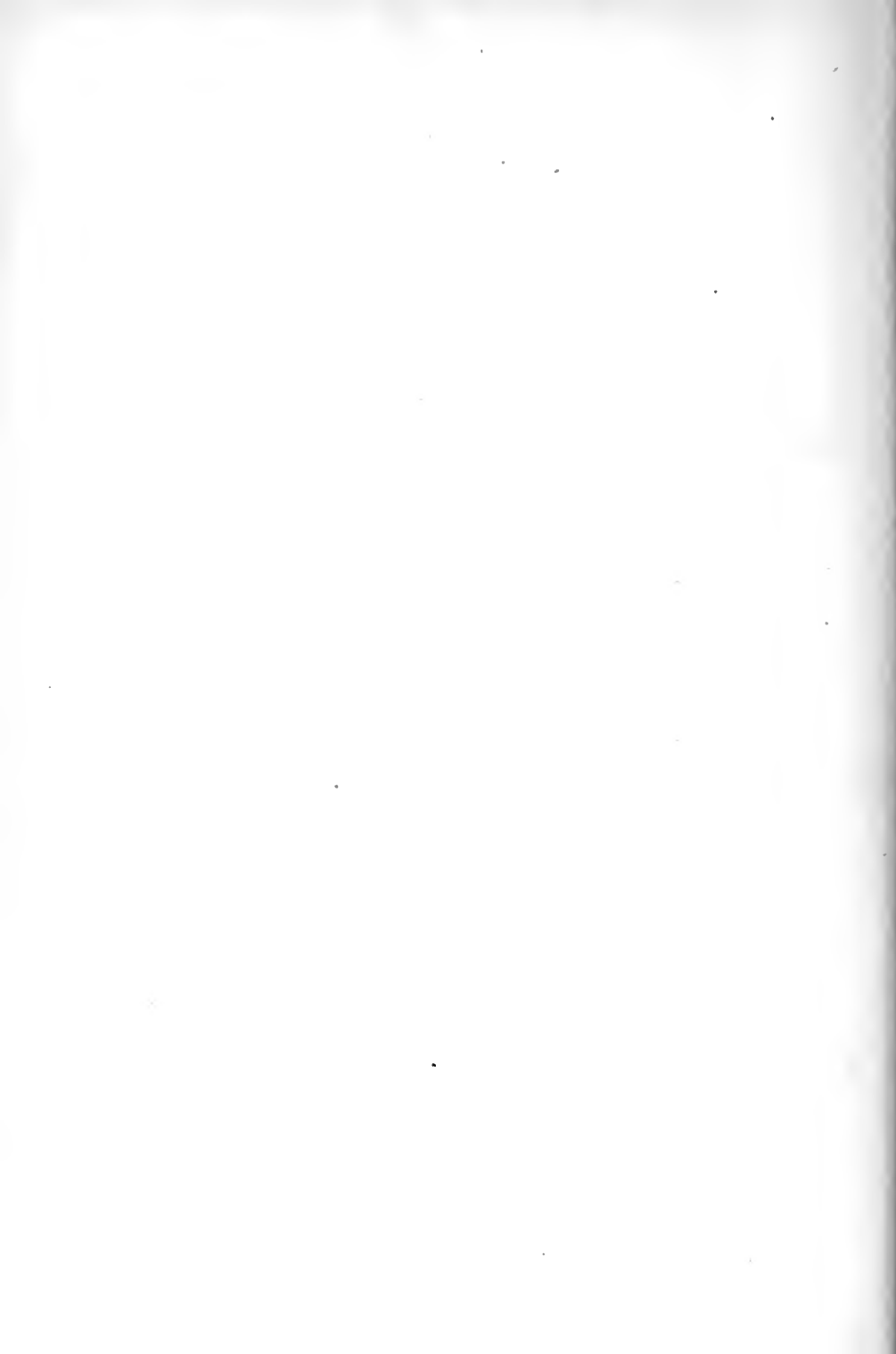
Very respectfully,

ROBT. W. FURNAS,

President.

GEO. E. HOWARD,

Secretary.



PREFATORY NOTE.

A considerable portion of the historical matter contained in this volume consists of papers read at the last two annual meetings of the Society. However, in the suggestion of topics for some of these and in the selection of matter derived from other sources, the attainment of a certain degree of unity has been kept in view: by confining the discussions, so far as practicable in a publication of this character, to the territorial and earlier periods of Nebraska history.

The Society has recently come into possession of a copy of the manuscript of the late Samuel Allis, transcribed by permission of the family of the author by Mr. Henry Fontenelle, at the instance of Governor Furnas. It is here printed with the exception of the concluding portion—about one-third of the matter in bulk—which has been omitted as not of sufficient general interest; and, for the same reason, passages here and there throughout the earlier pages have been cut out. Some corrections of obvious errors or oversights have also been made without specific mention.

It has been thought desirable to begin a reprint of the more important of the "Centennial" county histories. Single copies of these have become very scarce, and but one or two complete sets, so far as we know, are in existence. For the first installment, the histories of Cass, Dodge, Sarpy, and Washington counties have been selected, because these are especially rich in memorials of the earliest pioneer life in Nebraska. For example, the account of "club-law" in Cass county, by Dr. Child, is an interesting contribution to the local history of that peculiar organization for squatter self-help—the "claim association." The history of that institution, which in the primitive settlements of Nebraska played a more stirring part, perhaps, than anywhere else in the country, will, it is hoped, receive a somewhat detailed treatment in the third volume of the *Transactions*.

Through the permission of the author and the approval of the Nebraska Commandery of the Loyal Legion, Capt. H. E. Palmer's ac-

count of the Powder river expedition of 1865 is here reprinted. It forms a valuable companion-piece to Lieut. E. S. Dudley's paper on our early military history. We regret, however, that the delay in receiving the pamphlet edition issued by the Loyal Legion renders it impossible to incorporate the interesting "Addenda," which was not attached to the copy furnished us by the author.

In conclusion it may be noted that President Furnas should be credited with collecting and editing the biographical section of this volume; for the remainder the subscriber is editorially responsible.

GEO. E. HOWARD,
Secretary.

Lincoln, June 22, 1887.

NEBRASKA STATE HISTORICAL SOCIETY.

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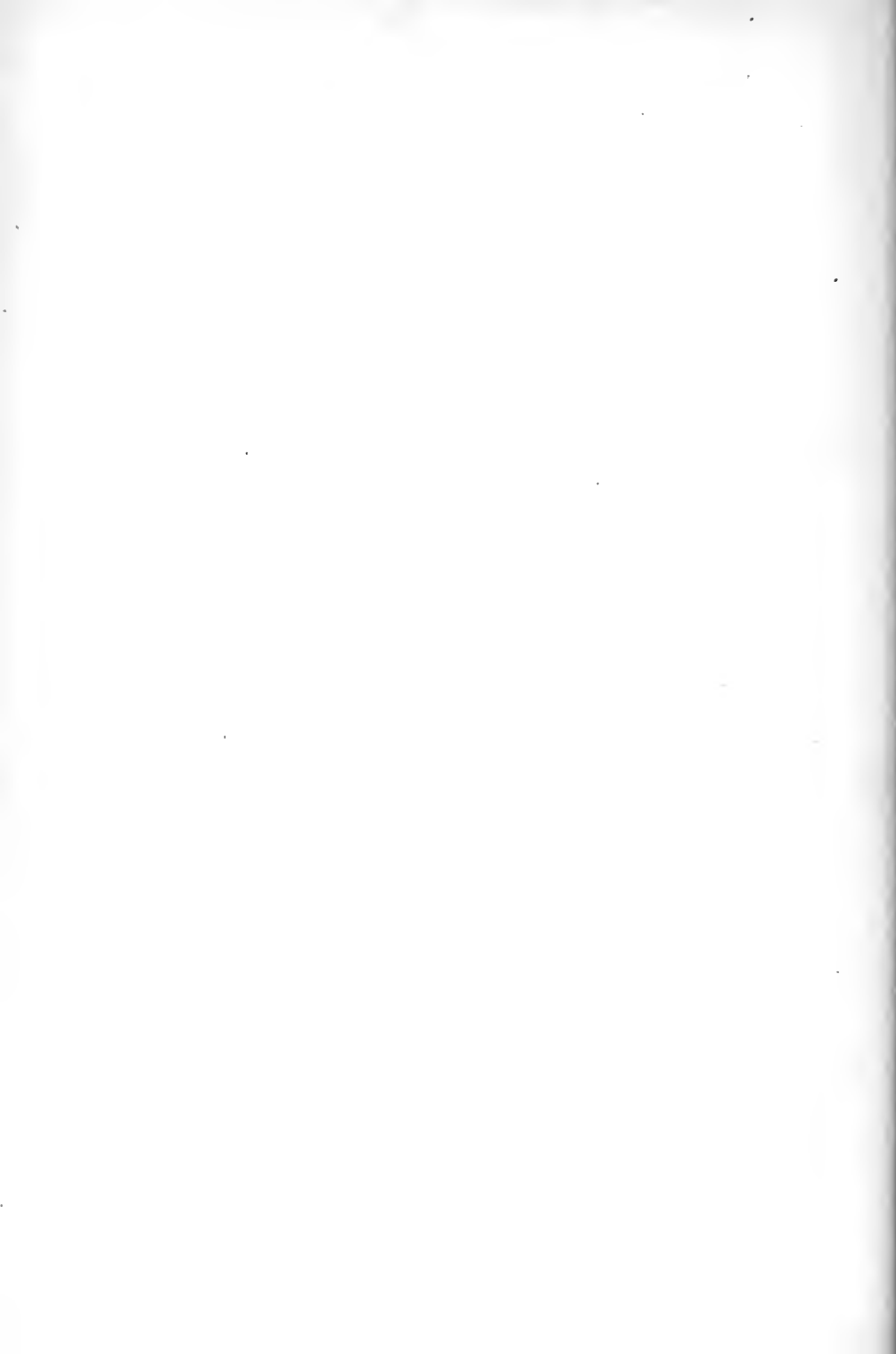
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I.—HISTORICAL PAPERS.



NEBRASKA STATE HISTORICAL SOCIETY

THE RELATION OF HISTORY TO THE STUDY AND PRACTICE OF LAW.

BY H. H. WILSON.

[Read before the Society, January 12, 1887.]

In this age of accumulated knowledge, he who would know any one thing well must be content to remain ignorant of many others. In order to bring a limited area up to its highest state of productiveness the ordinary man must leave a vast region uncultivated. When one like Mill urges that there is time for all learning, the old as well as the new, it is well to remember that but few can bring to the task the leisure, and still fewer the mind, of a Mill. The question is ever being asked, "How can I best employ a few years in preparation for active life?" To the average young man who has but a limited time to prepare for the work of his life, before he will be compelled to enter upon it, the answer to this question is of vital importance. I will suppose this question to be asked by one who has chosen the profession of law.

It may safely be said that no other professional man finds use for so wide a range of knowledge as the lawyer. The nature of the law is such that its practice touches the practical life of man at every point. There is no relation in life, there is no transaction among men, that may not become the subject of judicial investigation. There is no branch of learning that may not, at some time, be of great use to the lawyer. The doctor's profession covers a wide domain of knowledge, but there is no branch of his practice that may not furnish the basis for a suit for malpractice, to successfully conduct which the lawyer must cope with his medical brother in the knowledge of his art. The management of a vast railroad system requires special knowledge of the several arts and sciences involved in it, yet, in fixing the responsibility for an accident, the lawyer may have to know something of them all. He, however, who would master all knowledge as a preparation for the bar will never enter the lists. Merely because a lawyer

may be called upon to try a cause involving the proper construction of a broken bridge, it would not be advisable for him to master civil engineering before coming to the bar. That his first case may be one growing out of malpractice in the setting of a limb, is not a sufficient reason why the mastery of surgery should form a part of his preparation. That chemistry, natural history, geology, and even theological creeds may enter into the subjects of his investigations would not justify the lawyer in attempting to master these branches of learning as a part of his preparation for active life. He must necessarily depend largely upon experts in these various branches of knowledge, when it may become necessary for him to use them. These and kindred sciences are merely incident to the practice of the law, and while a knowledge of them may occasionally be of great value to the lawyer, an attempt to master them would leave no time for the practice of his profession. On the other hand, there are some branches of learning which, in their methods of investigation, as well as in the knowledge they impart, are so closely allied to the study and practice of the law, that no one who would stand high in that profession can afford to neglect them. Foremost among these stands history.

In estimating the practical value of any branch of learning as a disciplinary study, for a particular object, we naturally inquire what faculties are brought into activity, and what is the tendency or bias given to these faculties by such study. For instance, mathematics employs pure reason. The mathematician deals with the absolute. When his premises are granted, the conclusion inexorably follows. That the prolonged and exclusive study of such a science gives a peculiar bias to the faculty employed, there can be no doubt. The natural scientist reaches a conclusion which, while not so absolutely certain as that of the mathematician, yet has the highest degree of probability. While reason is still our guide we feel much less certain of the ground on which we tread. We have now left the domain of the absolute and entered upon that of the relative. Here we can no longer draw our conclusions with absolute certainty; we are now called upon to weigh the evidence and determine the preponderance of proof. Probability, very strong probability, may be reached, but not certainty.

On the other hand, the historian is compelled to content himself with conclusions whose probability falls far below that which attaches to the conclusions of the natural scientist. Here we are met at the

very outset with the most contradictory evidence coming from sources which seem to be equally credible. From the very beginning we are compelled to test the credibility of our witnesses, to balance the probabilities of their testimony, and after all remain content with conclusions supported only by a greater or less degree of likelihood. It is certainly no disparagement to any branch of learning to say that the study of one furnishes the best discipline for one pursuit, and that of another for another pursuit.

To my mind it is this very inconclusiveness of its conclusions that renders the study of history so valuable to the lawyer. The historian and the lawyer alike deal with the affairs of men, the most uncertain of all subjects of investigation. The lawyer is to-day dealing with that ever-changing life of man which, centuries hence, will employ the future historian. The conclusions of the historian must always contain an element of uncertainty, because the subject of his investigation is human affairs, and his evidence is usually human testimony. Not only may this testimony be willfully false, but the witness may have been mistaken, or so prejudiced as to render his testimony of little or no value. The first lesson for the student of history is to learn the peculiarities of his author and to estimate the influence of his bias or prejudice upon his testimony; or, as the astronomer would say, we must first eliminate the *personal equation*. No one can safely read Hume without knowing his prejudice against the church, or Macaulay, without making due allowance for his bias in favor of the whigs. It is from a mass of contradictory evidence taken from sources of varying degrees of credibility, and in itself containing various degrees of probability, that the historian is to gather his facts and reach his conclusions.

The study of history is a daily exercise in the weighing of evidence and drawing conclusions of such probability as the proof may warrant. The conclusions, while never absolutely certain, may reach that high degree of probability upon which we would all be willing to act in our own affairs even though property or life itself were at stake. What better training than this can be given to one whose business of life it will be to try the differences between man and man upon the diverging and often contradictory testimony of living witnesses. The rules which he has learned to apply in settling a controverted point in history are equally applicable in the settlement of controversies at

the bar. For instance, should several witnesses narrate a transaction exactly alike in every detail, the historian, as well as the lawyer, would at once conclude that either the several narratives were copied from a common original, or were the result of conspiracy. Should the narratives agree in the main, but differ as to details, this would indicate an endeavor to tell the truth; and should the several witnesses who differed in the details of their narratives yet all agree as to a certain fact, the existence of this fact would reach a high degree of likelihood. In short, the general principles upon which the preponderance of evidence is ascertained are the same, whether applied by the historian or the lawyer, whether the question involved be the fate of a dynasty or the cause of a railroad accident.

The historian must ascertain the facts from such evidence as he may be able to command, never absolutely conclusive, seldom entirely satisfactory, yet always the best that can be obtained. These facts, however well they may be proven, if unorganized, are of little or no value. It is their relation to life, their bearing on the course of human affairs, that gives them value. It is then a part of the duty of the historian to bring these facts, thus ascertained, into their natural relation to each other, and thus show, if he can, their influence upon the course of events. Let us illustrate this two-fold duty of the historian. It will fall to the lot of some future historian to ascertain from the accumulated mass of contradictory evidence what actually did occur at the great battle of Shiloh. And surely if a few more of the eye-witnesses of that memorable battle volunteer their testimony, to find the real facts will be no small task. This done, it will be the duty of our future historian to take the facts so found, and tell future generations the effect of that battle upon the progress of the great conflict, and the effect of the latter upon civilization.

The value of this training to the lawyer is apparent when we look at the two-fold duty of the bar. While the lawyer is not the tribunal that in the last resort ascertains the facts in issue, yet it is his duty to assist in so doing. While the jury or court is to find the facts, it is the office of the lawyer to establish them by such evidence as a very imperfect and sometimes very corrupt human nature may render available. When the facts are thus ascertained, or should they be conceded, it becomes necessary to determine to what relief these facts entitle the client. In other words, it now becomes necessary to apply

the general rules of law to the facts of the particular case. At first thought, this would seem a very simple matter. Suppose, however, the point at issue is one which has never been decided in our jurisdiction. Suppose it be a question of common law, and our own state decisions do not cover the point. We must then draw our precedents from the decisions of thirty-six independent states, having thirty-six independent jurisdictions, whose decisions are by no means harmonious, even on elementary principles of common law. Add to these a vast system of federal courts, as well as English and colonial, and we have a mass of independent and often contradictory adjudications from which the lawyer is to determine what rule applies to the facts of his particular case. These decisions, however conclusive upon the rights of the parties determined by them, cannot be considered the law itself, for the law cannot contradict itself; they are rather evidences of the law, and from them we must determine, if we can, the true principle applicable to the facts in hand. But where the adjudicated cases are hopelessly contradictory, what shall be our guide? The plaintiff presents an armful of authorities holding that the facts entitle him to recover, and the defendant an equal number holding that the facts constitute no cause of action. What now shall be done? The later Roman lawyers solved this problem by the simple rule of addition. By statute the court was required to count the authorities holding for the plaintiff, and then those holding for the defendant, and then he was to decide with the majority. If the number cited was the same for either side and Papinian was among them, his side should prevail. And as Papinian had expressed an opinion on most questions likely to come up, it was a rare chance indeed if a judge needed any acquirements beyond simple addition to enable him to decide the most important and complicated cases. The modern court asks for the basis upon which the decisions rest. The weight to be given to an adjudicated precedent will depend largely upon its historical soundness. No precedent, however well established by adjudications, can stand long in the face of modern juridical criticisms unless it comport fairly with historic truth. No case to-day is so uncertain as that which stands on precedent alone, with neither reason nor justice to support it. The law is not an artificial mechanism, but a natural growth. There is a unity and continuity in the law that will tolerate no precedent long that does not harmonize with the spirit of its growth.

The history of the growth of the law is but a part of the more general history of the race, and no mere *ipse dixit* of the courts can stand long against the admitted truth of history. The lawyer of to-day who relies merely on precedent, is having his foundation gradually sapped from under him. He must learn that error, however often repeated, does not cease to be error. He must learn that truth, even though unknown to Coke and Blackstone, is the best authority upon which to rest his case, and that justice is his most eloquent argument. It is the chief glory of the common law that it had its origin in the customs of the people, and that it is ever changing to meet their needs. Century by century principles and rules become obsolete because the life to which they applied has become extinct. On the other hand new principles and new rules arise as the necessary accompaniment of the new life born of every advance of the race. The historical law, the law of the past, vanishes unobserved, and a new law, the law of the present, is ever arising to take its place. The great mass of the law is found in the habits and customs of a people long before it is to be found on the dusty shelves of the lawyer. When the members of a community have voluntarily assumed certain relations toward each other, and such relations have existed so long that all have a right to rely on their continuance, and important rights depend upon such continuance, courts of justice recognize these relations and enforce the rights based upon them. The courts take up and crystallize the law which the people have consciously or unconsciously made for themselves in their daily contact with each other. Customary law is as truly enacted by the people as though it was adopted by the formal vote of their representatives duly assembled. It is therefore clear that when the circumstances which gave rise to any rule of customary law have ceased to exist, the rule itself ought no longer to be applied. Where there was no express enactment of a law there is no need of an express repeal. It is therefore one of the familiar maxims of the law that when the reason of a rule ceases, the rule itself ceases. It needs no argument to show that in order to know what is the law of to-day one must know the history of the people among whom the law has grown up. When the lawyer is asked whether or not a certain principle or rule of the common law is the law here and now, before he can answer with certainty he must know the circumstances that gave rise to this particular principle or rule, and he must know

whether those circumstances still exist. Then, whether or not a given proposition is the law of to-day, depends, not upon whether it is found in Blackstone or Kent, but upon its history.

When we remember the strong tendency exhibited by law writers and judges to copy from their predecessors, it is not strange that we should find in text books and adjudicated cases many things laid down as law, the reasons for which have long since ceased to exist. It will be seen, however, that the common law contains within itself a perfect remedy against any hardship growing out of the enforcement of a principle or rule after its utility has ceased. That the common law is sometimes harsh and unjust may be admitted. A careful examination, however, will show that most of these defects arise, not from any original imperfection in the law, but from the fact that rules and principles have been retained and enforced long after the reasons that gave rise to them have passed away. For this, not the law, but those who administer it, are responsible. A knowledge of the history of its growth, and the moral courage to lop off the dead members, is all that is necessary to preserve the body of the common law in a healthy and vigorous condition.

A forcible illustration of the doctrine just set forth is furnished by a recent decision of the supreme court of Kansas.* The owner of a large packing house in Leavenworth rented the same for a term of years at an agreed rent of \$250 per month. The landlord insured the building for \$10,000. Ten days after the execution of this lease the building was totally destroyed by an accidental fire, and the landlord received the full amount of the insurance. The tenant thereupon refused to pay the rent and suit was brought to recover it. Counsel for the landlord presented a vast array of authorities that showed beyond doubt that at common law, as taught in the books, the destruction of the building was no defense to a claim for the rent agreed upon. Judge Brewer, after a masterly review of the authorities, said: "The general doctrine of the common law unquestionably was, that upon a covenant in a lease of lands and buildings for a term of years to pay rent, the rent could be recovered after a destruction of the buildings leased by accidental fire. The express contract and promise was not discharged by an act for which the lessor was not responsible. * * *

* * * This doctrine is challenged by the counsel for the defend-

* Whitaker vs. Hawley, 25 Kansas Rep., 674.

ants, and it is urged that it has no foundation in natural justice; that the reasons for its existence have disappeared with the changed conditions of society, and that it ought not to be recognized as the law of leases in Kansas. * * * * * The feudal system shaped and modified the common law concerning real estate. Land could not be taken on execution. Alienation was difficult and expensive. The landlord was but the successor of the ancient feudal lord, and his rights were correspondingly sacred; but now, the holder of real estate has little or no vantage over the owner of personal property. The distinctions growing out of the feudal system are disappearing, and this distinction between the lease of real property and the hiring of chattels is one which sooner or later will cease to exist.* Insurance, now so common, works a change in the relative position of the parties. Formerly, the landlord was, to a great extent, at the mercy of the tenant, who might put an end to his liability by firing the building, and being in possession could do it easily and without probability of detection. The burden of such a loss would fall upon him who had so little means of prevention or detection; hence, one source of protection was to continue the liability for rent. But to-day the rule is insurance. By this, fire only changes the character of the owner's property from buildings to money—often a welcome change. And if the landlord gets the value in money, which he may put at interest, he certainly ought not to receive rent for that which has ceased to exist, and thus double his profits, and especially when the insurance premiums are paid by the tenants. In this case it appeared that the landlord had \$10,000 insurance on the building which he has received. In other words, that amount he may put at interest while demanding rent for the use of property no longer existing whose price that is.”

Had Judge Brewer been one of those who yield a servile obedience to long established precedent, closing his eyes to the truth of history and turning a deaf ear to the cries of justice, he would have given the landlord double profits on his wealth, and compelled the tenant to pay rent for the use of that which did not exist. And all this, not because it is just or reasonable, not because the safety of society of our day demands it, but because another people in another age found it a necessary restraint on lawlessness. This the court refused to do. Guided by the light of history, recognizing the changed conditions of

* It was conceded in this case that no rent could be recovered for the use of mere chattels after their destruction. Page 686.

the business world, and moved by the manifest injustice of the demand, it swept away a long line of venerable authorities and established what may be called a new dispensation of the law of leases.

That the lawyer should be familiar with the history of every people among whom any branch of our law has had its growth, may be illustrated by an example from the Roman law. We borrow almost the whole of our law governing the liability for negligence from the civil or Roman law. The terms in which its principles are expressed are taken almost exclusively from the Latin, and their exact meaning can be learned only from the history of the people who used them. A striking instance of this is found in the use of the word *paterfamilias*. By the Roman law, which is also our own, a specialist who undertakes to do that which is within the scope of his specialty is bound to exercise such diligence as is commonly exercised by a *diligens, bonus, studiosus paterfamilias*, and he is liable for damages resulting from his failure to do so.

The diligence of the ordinary *paterfamilias*, as known to English and American civilization, would hardly come up to our ideas of the duty of the modern specialist. We would shudder at the thought of placing our property, our health, and even life itself in the hands of one from whom the law exacted no greater diligence than that commonly exercised by the head of a family in his own affairs. The *paterfamilias* as we know him would afford a very doubtful criterion of diligence and care. But when we learn* that the family of classical Rome was indeed a principality, and its head a monarch, whose descendants, be they ever so remote or ever so scattered, yielded implicit obedience to his almost unlimited authority, whose daily life required the exercise of the highest faculties of the mind, we get quite a different idea of the diligence commonly exercised by the *paterfamilias*. The doctor, the druggist, the railroad engineer are no longer excused by showing the diligence of the head of a family as known to our civilization, but they are required to exercise "the diligence shown by a good and trustworthy specialist when dealing with his particular duties." †

* Hadley's Introduction to Roman Law, 107.

Maine's Ancient Law, 133.

Gibbon's Decline and Fall, Vol. IV., 341, *et seq.*

† Wharton's Law of Negligence, Second Edition, 1878, page 25.

Man sich unter einen diligens paterfamilias einen durchaus tuechtigen Mann zudenken haben, der ueber seine Angelegenheiten mit voller Aufmerksamkeit und ganzem Fleisse zu wachen gewohnt sei. Die Culpa des roemischen Rechts, eine civilistische Abhandlung von Johan Christian Hasse, Seite 508. (Quoted by Wharton.)

When we enter upon the construction of constitutional and statutory law, a thorough knowledge of local history is of the utmost importance to the lawyer. The best guide to the correct interpretation of a constitution or statute is the condition of the people who adopted it, the wrongs which were to be remedied and mischief to be prevented by it. No one who does not understand the history of the colonies, their unsuccessful efforts to establish a general government, the wrongs they suffered and mischief they foresaw, would be a safe counselor in the interpretation of the constitution by which our sister states are held together. No one who does not know of the controversies, differences, clashings of interest, and final compromises that took place in that remarkable convention, could safely undertake to interpret the instrument they finally adopted. In 1824, in one of the most important causes ever decided by the federal supreme court,* Chief Justice Marshall, the great expounder of the constitution, speaking for the court, held that the power of congress to regulate commerce between the states was exclusive of state control, and that the laws of New York granting a monopoly of steam navigation in the waters of that state were therefore unconstitutional and void. With no precedent to guide him, the great chief justice drew the argument with which he sustained his position almost wholly from the history of the colonies at and before the adoption of the constitution. It was in the consideration of these great constitutional questions, untrammelled by precedent, guided only by the history of the past, that Marshall's pre-eminent abilities shone at their best. This country has never yet fully recognized the debt it owes to the historical research of this its greatest jurist. In this case Webster made one of his most famous arguments, which in its nature was almost entirely historical. This form of argument had a peculiar fascination for Webster and was always powerful when wielded by him. No one can read the argument of Webster and then the opinion of Marshall without coming to the conclusion that the former as well as the latter did his part "to set free every brook and rivulet in the country." The concurring opinion by Justice Johnson is based almost entirely upon "the history of the times," and upon "the general understanding of the whole American people when the grant was made."†

*Gibbons v. Ogden, 9 Wheaton, 1.

†Gibbons v. Ogden, 9 Wheaton, 225.

A good example of the value of local history in construing constitutional and statutory law may be found in a decision of the supreme court of Michigan.* When that remarkable tide of immigration so rapidly turned the sparsely settled territory of Michigan into a populous state, the spirit of western enterprise demanded a vast system of internal improvements. Accordingly when the people formed the constitution under which Michigan was, in 1837, admitted into the Union, they recommended therein an extensive system of railroads and canals to be constructed by the state at public expense. The legislature, in carrying out this recommendation, burdened the people with a debt of millions; and after destroying public credit, stopped but little short of a disgraceful repudiation. For all this burden and disgrace the state had nothing to show, except some unfinished railroads, which were soon sold for a small portion of the money expended on them. When the constitution of 1850 was adopted, the people, still feeling keenly the burden and disgrace brought upon them by these visionary schemes, provided in the new instrument that the state should in no manner aid works of internal improvement. Thus the people of Michigan absolutely prohibited in 1850 that which they had recommended in 1837. Soon there occurred one of those unaccountable oscillations in popular judgment upon financial questions to which the American people seem to be peculiarly subject.† In 1869, the legislature, yielding to popular demand, provided by a general law for the granting of aid to railroads by the several municipal subdivisions of the state. Millions of debt had already been contracted by the cities and towns of Michigan under this statute when its constitutionality was first presented to the supreme court of the state in 1871.

That court, in an opinion delivered by Justice Cooley, held the law unconstitutional and void.. It was urged that other states had construed a similar provision in their constitutions as prohibiting only the state as such from incurring debts in aid of such enterprises, while it left the subdivisions thereof free to give such aid as they saw fit, and pay the same by general taxation. In reply to this argument the learned justice said, that whatever might be the just and proper construction of this provision when found in the constitutions of other

* *Bay City v. The State Treasurer*, 23 Mich., 449.

† For an interesting account of the variable policy of Michigan on the question of internal improvement, see Judge Cooley's "Michigan," in the American Commonwealth Series, chap. XIV.

states, whose history had been different, the public history of Michigan left no doubt that its people intended to deprive, not only the state as a whole, but its component parts as well, of the power to repeat the folly of the past. This decision has become a part of the history of the state, and has determined its policy ever since on the question of internal improvements. It is referred to here because the construction there given to an important constitutional provision is based solely upon the public history of the state and the well known feeling of the people at the time of its adoption. Here, then, we find one of America's foremost constitutional lawyers recognizing and adopting the public history of a state as the best guide in the interpretation of its fundamental law.

When we reach the broader domain of international law, we must rely wholly upon history for our precedents. Here there is no supreme power to prescribe rules of action; no court with jurisdiction to decide or power to enforce its decrees. The law by which nations are to be judged, in war or in peace, are to be learned only from the public history of the nations we call civilized; and the history of the intercourse of one nation with another is so intimately connected with the internal history of each that no one can understand the former without some knowledge of the latter.

Much might be said, did time permit, on the value of history in solving the ever recurring problems involving the security of life, liberty, and property. All these questions have arisen and been answered in some way by every civilized people. The communistic and nihilistic tendencies of the present would seem to indicate that these problems have not been finally disposed of, and that the lawyer of the near future may be called upon to reconsider and perhaps readjust them. In any discussion of these great questions, involving as they do the rights of all, the practical answers given to them by other nations in other times must always be of the highest importance.

It is perhaps needless to say that the study of history to yield the benefits here indicated must be something more than the daily conning of a given number of pages in a text book. What the student needs to be taught is not the facts of history, but how to find them for himself. In no branch of study is it more important that the student should do the work himself than in history. No one would now attempt to teach chemistry and botany without requiring of the student practical work

in the laboratory and the field. What the laboratory is to the student of chemistry, what the fields are to the student of botany, the well furnished library is to the student of history. The text book and the instructor are valuable as guides; but after all, that which is most valuable is obtained only by the individual research of the student himself. In this research the student should be led as near as possible to the original sources from which the facts are to be ascertained. Our own national history furnishes a fertile field for investigation, and the ease with which its primary and secondary sources may be obtained renders it peculiarly inviting. And may we not hope that at no very distant day the archives of this society may contain material for a comprehensive study of the history of our own commonwealth.

The range of history, like that of law, is limited only by the boundary that circumscribes the life of man. The historian deals with life as found entombed in the mute records of the past. The lawyer struggles with life governed by the passions, the prejudices, the hopes, and the fears of the present. Both alike, in reaching their conclusions, must tread upon uncertain ground and remain content with proof far short of the absolute. Law stands foremost among the practical sciences as an aid to history, and history in turn becomes the interpreter of law. As the lawyer gathers the facts of his case from the uncertain memories of living witnesses, as he draws his principles from the contradictory statements contained in his books, so the student of history must cross-examine his authors, probe their motives, estimate the influence of their prejudices, balance their testimony against that of others, and finally determine, by a preponderance of proof, the point at issue. So intimate is the relation between history and law that the best preparation for the study of either is found in the thorough study of the other

SKETCHES FROM TERRITORIAL HISTORY.

BY A. G. WARNER.

I.—IN THE BEGINNING.

One not acquainted with the early history of this commonwealth may be startled, while looking through a file of newspapers handed down from the fifties, to see the headline, "Discovery of Gold in Nebraska." The explanation is that Pike's Peak itself was once included within the generous limits of this territory. By the act of congress, which brought into existence Kansas and Nebraska, the twin children of Douglas' ambition to do something spectacular in national politics, the boundaries of the latter territory were described as extending from the northern boundary of Kansas to the southern boundary of the British Possessions, and from the Missouri river and the western boundary of Minnesota on one side to the summit of the Rocky mountains on the other. This vast tract contained about 351,558 square miles of land, and at one time over 15,000 square miles on the western slope of the Rockies was added. In the early days the counties were marked out on the same magnificent scale. Though along the Missouri river they were soon reduced to a more manageable size, yet farther to the west they were for a long time planned with such dimensions as it was natural for men to give, who half doubted if away from the Missouri bottoms the land would ever be worth ten cents a township.

In preparing for the first election of councilmen and representatives, acting Governor Cuming marked off certain preliminary counties. Among others was "Jones county," the boundaries of which extended from "a point sixty miles west of the Missouri river, at the northwest corner of Richardson county," thence west along the south bank of the Platte river to the Rockies, thence southwesterly to the Kansas line, and so back to Richardson county and around to the place of beginning.*

* Acts of Ter. Assem., Vol. I.

Jesse Lowe was sent to find how many inhabitants there were in this vast district, and to make arrangements for the election of a corresponding number of assemblymen. His report of December 10, 1854, is almost pathetic in its simple acknowledgment of the uselessness of his mission. After taking half a page to state what he was sent to do, and to describe the boundaries of the would-be county, the report comes to a sudden stop with the information that "said county contains no inhabitants at all, save a few in one corner that properly belong in Richardson, and who ought to vote there." Localities did not always wait for a census or for any formality when they wished to hold an election. It is said that the first election held in the town of Platsmouth, for sheriff and city officers, was peculiar in that there was no authority for it whatever. It was before land had been opened for pre-emption, no one had any legal claims to anything, and so it was just as correct to hold an illegal election as it was to live there at all. Besides it was a kind of natural necessity to hold an election of some kind, for the citizens were genuine Americans, and wheresoever two or three Americans are gathered together in a community, there will politics be also. It was a festive occasion, as such early gatherings usually were. The partisans of the different men voted industriously, and in lieu of the modern method of "tapping his bar'l," the candidate for sheriff removed the head from a five-gallon keg of whiskey and put therein a long-handled tin dipper.*

In the first assembly there were eight counties, represented by thirteen councilmen and twenty-three representatives. Small, however, as was the number either of representatives or constituents, acting Governor Cuming could not escape the charge of having gerrymandered the election districts. He had been invested with autocratic power by the government at Washington (or rather the office to which he succeeded after the death of Gov. Burt had been so invested), and in this instance, as often subsequently, the appointed governor had a personal or political axe to grind, which the people of the territory were most loth to sharpen. When the assembly met, a series of resolutions was introduced, and under various forms kept being reintroduced during the session. The object of these resolutions was to get Cuming to make

* I tell this tale "as 'twas told to me." In these sketches, whenever there is no better authority than the personal recollection of one man, I shall indicate the fact in a foot-note, and the reader can take it for what it may be worth. For the most part I shall not give the names of my informants, but would say in general, that only those who know of the events of which they spoke at first hand have been accepted as authorities. The unaided memory is not a very reliable guide.

known the census returns upon which he had based his apportionment of assemblymen, or even to induce him to tell what instructions he had given the census takers, or finally, to secure the appointment of a committee to investigate these matters.* But a majority seemed to be always ready to stand by the governor; the resolutions were bundled about from the table to the committees, and from the committees back to the table, and the returns of the first census of Nebraska remain a state secret even until this day.

It is very credibly stated that nearly all the members of Nebraska's first territorial assembly came over from Iowa for the express purpose of being elected to that body. To make perfectly sure of this devoutly wished for consummation, many of them also imported their constituencies in a body from the other side of the "Grand Father of Waters." Thus, for instance, as acting Governor Cuming had marked out the limits of Burt county and had apportioned to the same two representatives and a councilman, and as there were no inhabitants at all in the district designated, it seemed only an act of neighborly kindness in the citizens of Council Bluffs to arrange a little excursion to go over there and hold an election. Accordingly, at the proper time, two wagon loads of the "uncrowned sovereigns of this great and glorious country" provided themselves with the necessary ballot boxes, election blanks, and a goodly quantity of very refreshing refreshments, and started off to hunt up Burt county. It was a long distance, however, and their patriotism and horses flagged before they got there. Not to disappoint the expectant soul of Cuming, they concluded that one neck of the woods was just as good for their purpose as another, and so, carefully failing to take note of the exact locality, they stopped in a piece of woodland in Washington county, and held a pic-nic there. The result was a set of vastly formal election returns, by which the desired number of assemblymen were returned. The councilman who thus came to represent the alleged county of Burt was Mr. Fulsom, and there is a story still extant which relates how he was given, as a sort of sub-rosa "mark of respect," the title to considerable real property of much value in the city of Omaha. He had awakened the regard of the donors by allowing himself to be "open to conviction" regarding the location of the capitol at that city. This property, or part of it, has since come into the possession of Mrs. Cleveland.†

* See House and Council Journals of First Assembly, per index.

† Pers. Rec.

A work which, according to the fashion of the times, was pushed vigorously by the early assemblies of the territory, was the passing of special acts of incorporation. An insurance company was the first to get itself born during March 1855. Then in this and succeeding years followed a vast swarm of railroad companies, universities, paper cities, land-claim associations, medical societies, and wild cat banks. Two universities and a college were incorporated the first year and others soon after. Some of these, like the "Nemaha University at Archer", are not more dead than the would-be towns in which they were established. Each act for the incorporation of an institution of learning declared that its object was "the promotion of the general interests of education, and to qualify students to engage in the several pursuits and employments of society, and to discharge honorably and usefully the various duties of life."*

More truthfully speaking it might have been said that their object was to give the territory an excuse for teasing congress for land grants, and to enable immigration agents to point to our advanced position in educational matters.

The land claim associations were numerous and aggressive; but as the whole subject will be treated by another member of the Nebraska Historical Society, it may be passed over here with only the remark that these helped to swell the number of special acts with which the assembly was burdened, and of the town companies a few words can best be said here. Wherever a town site had been laid out the only way to get an approximately sound title to the land was to get the town incorporated—lack of inhabitants in no way interfering with that process. There was so much of this work to be done that the acts were cut down to essentials, and the public printer was scandalized by such an abbreviated form as this:

"An act to incorporate the town of Margaretta in the county of Lancaster.

"Sec. 1. Be it enacted by the council and house of representatives of the territory of Nebraska, that the town site claimed by the Richland (Rich land?) company upon which the town of Margaretta is located and situated, together with all additions that may hereafter be made according to law, is hereby declared to be a town, by the name and style of the town of Margaretta.

* See acts of first assembly, per index.

"Sec. 2. The said town is hereby made a body corporate and politic, invested with the same power and corporate rights and privileges as are granted in an act entitled 'An act to incorporate Nebraska City.'

"Sec. 3. This act shall take effect and be in force from and after its passage."*

Most of these cities were brought into being merely that the owners might sell the lots to some "greenhorn" for enough to a good deal more than pay expenses. One of these fiat towns, which from the mining analogy might be said to have been "loaded," was "worked off" with consummate skill. Dr. Henry, one of the early speculators, found a Pawnee village located on the Platte river, and he at once concluded it would be a good place to mark out a town. A map was accordingly made of the place, engraved in the highest style of the art; splendid lithographs represented whole fleets of merchantmen sailing majestically up the Platte; and these baits were taken east with the confidential assurance to all who were inclined to purchase that the town already had eight hundred inhabitants. Along the river front the jealous owner would only sell half lots because they were sure to be so valuable, but further back whole lots and even half blocks were reluctantly parted with.† Many other "towns" went the same pretentious road to oblivion.

But of all the "artificial persons" in the form of bodies "corporate and politic" which were created by the territorial assemblies, by far the most mischievous were the wild cat banks. Bribery was charged in the securing of their charters, rascality was obvious in the management of most of them, and a sort of epidemic cholera infantum destroyed them all before any one of them had celebrated its third birthday.

II.—WILD CAT BANKS.‡

Just at the beginning of the present century, in the Empire state—that congenial home of all forms of political rascality—Aaron Burr had tried his prentice hand at stealing a bank charter through the

* See acts of first assembly, per index.

† The facts regarding Henry's speculation were given me by A. D. Jones, Esq., of Omaha. Mr. Jones was the man who surveyed the town site of Omaha and was interested in many of the attempted towns in various parts of the state. It is my experience that these early speculators always prefer to tell of some other man's "deal."

‡ The work of collecting the materials used in this sketch of the early banks was begun in the winter of '81-5 during my senior year at the University of Nebraska; and as a part of that year's work in political economy under Chancellor Manatt, I began the preparation of a paper on

New York legislature under the guise of a bill to incorporate "A company to supply the city of New York with water." * Following the lead of Massachusetts and New York, various states tried first special and then general acts of incorporation for banks having the right to issue currency, but like the traveller choosing between two roads in an Illinois swamp, whichever way they went they were sure to wish they had gone the other.

When a special act of incorporation was required for each banking company, the only result was that specially active lobbyists were required to get the bills through. Log rolling and bribery were the surest and often the only way to get a company sanctioned by the legislature, and the pass-word was virtually, "you tickle me and I'll tickle you." In the legislature of Pennsylvania, in the year 1813, those who were engineering twenty-five of these bills, incorporating as many banks with an aggregate capital of nine millions, combined and secured their passage. Gov. Snyder, however, vetoed the entire lot, but the only ultimate result was that the next year a more generous policy on the part of the rollers of logs led them to include forty-one banks in their planning, having an aggregate capital of seventeen millions, of which only one-fifth was required to be paid in, and they were then strong enough to incorporate them all over the Governor's veto. †

The birth of such a litter of wild cats as this was surely a great calamity, but the passage of a general enabling act which made possible their spontaneous generation over a whole state seems to have been worse. In 1837 Michigan passed such an act. It was thought that it had been carefully drawn, but almost immediately after its passage "banks were springing up all over the state, in unheard of places, in the depths of the forest, in saw-mills, in asheries, and in the pockets of dishonest men." ‡ Their circulation soon became so enormous that there were probably \$300 of it for every man, woman and child in the state. H. M. Utley prepared for the Michigan Historical Society a short but spirited account of this disastrous system, and this paper seems to be the only one heretofore published

"State banks, and *ante bellum* banking in Nebraska." At that time it was not possible to finish the paper because the widely scattered material could not be obtained through correspondence alone. Later, during a visit to the older portions of the state, and finally, while in the employ of the *State Journal*, I was able to go on with the work in which I had become interested, and to investigate the subject with considerable thoroughness.

* Fin. Rep. Gen. Gov. 1876, p. 131.

† Fin. Rep. 1876, p. 147.

‡ See H. M. Utley in *Michigan Pioneer Collections*, Vol V., 209-222.

which deals directly with these corporate beasts of prey. Paper cities were brought into existence merely to give plausibility to the lie which made people believe that a sound bank was located in some unvisited corner of the state, and mortgages on the lots of these alleged towns were shown as the real estate security required by law. Speaking of the city and bank of Brest, he says that the contemplative traveller who should penetrate to the desolate frog pond which the lithographic advertisements of the place had filled with the navies of the world "would never dream what great possibilities had been unrealized on that spot." Three unhappy commissioners were appointed to see that the banks complied with the law. Spies dogged their steps and notified each bank as they approached it. A considerable amount of specie was carted along before them to enable each bank in turn to make a good showing. "An examination into the affairs of the Lenawee county bank showed the requisite specie on hand. Suddenly descending upon the bank a few days later the amount of cash in the vaults was found to be \$34.20. At the same time the circulation of the bills of the bank amounted to more than \$20,000." The bills from the bank of Singapore secured a wide circulation. One gentleman tells a doleful story of how this bank "busted" while he was wandering about in the western part of the state looking for Singapore.

There had never been such a place in Michigan. In 1839 the bank commissioners made a pathetic report, in which they affirmed that at a low estimate there were \$1,000,000 of worthless notes in the hands of the people. In an agony of haste to get rid of the thing the law was repealed and declared unconstitutional at the same time.

Referring to such banks in Indiana, the governor of that state says in his message for 1853: "The speculator comes to Indianapolis with the bundle of bank notes in one hand and the stock in the other; in twenty-four hours he is on his way to some distant point of the union to circulate what he denominates a legal currency authorized by the legislature of Indiana. He has nominally located his bank in some remote part of the state, difficult of access, where he knows no banking facilities are required, and intends that his notes shall go into the hands of persons who will have no means of demanding their redemption."*

* Fin. Rep. 1876, pp 119-50.

The experience of the older states seemed never to teach the new ones anything. Each one was as anxious as its predecessors to try the intoxicant influence of inflation, and so each in turn had to go through the sickening, head-achy process of recovering from its financial spree. Even Nebraska was no exception. It has been said already that the first company ever incorporated by a Nebraska legislature was an insurance company. This was the "Western Fire and Marine Insurance and Exchange Company," and was incorporated March 16, 1855. The powers of this body to deal in all sorts of exchange which had been granted in the charter were so stretched as to enable it to do a general banking business, and thus the first wild cat got itself surreptitiously into existence as the "Western Exchange Bank of Omaha." The cashier of this company was Levy R. Tuttle, who was afterwards, under Lincoln, treasurer of the United States; the paying teller of the bank was A. M. Wyman, who at a subsequent period held the same high office. Other bank bills came up in the first legislature and excited hot debate. A. D. Jones, then a representative of Douglas county, and still a resident of Omaha, claims to have been the only man who voted consistently against all of them. In a speech against them he became excited and rhetorical, concluding with the declaration that "when he should be gathered to his fathers, and an humble monument had been erected to his memory, upon the site of his beautiful home in Park Wild, it would gratify his soul to look down from the high battlements of heaven—the region of the blessed—and read upon that monument the simple and truthful inscription: 'Here lies an honest man—He voted against "wild-cat" banks in Nebraska!'" Allen H. Bradford, who was representing Otoe county in the council, was a large, fat man, with a squeaky voice. Concluding a short and sputtery speech in answer to Jones, he spoke as follows: "He (Mr. Jones) talks about the time when he shall be a-look-ing down from the high battlement of heav-en. I wish he was there *now*, a-singing forever more, among the blessed, instead of being down here a-makin' speeches which don't do any good away out here in Nebras-ky."*

Whether Jones's burst of eloquence won the day, or whether the

* Besides an interview with Mr. Jones himself, my authority for the incidents here related is Alfred Sorenson's "Early History of Omaha," pp. 60-71. He gives credit to "A Pen Picture from the Pioneer Legislature," which appeared in the Omaha Herald over the signature "M. I. Grant" (J. Sterling Morton).

schemers could not agree among themselves, is not certain, but at any rate no other bank charters were granted during that session. In the assembly of 1856 the question again came up. J. Sterling Morton was then twenty-three years old and a member of the lower house. Fresh from college and full to the brim with the principles of Wayland's Political Economy, he was convinced that a legitimate bank could only be made up out of surplus capital, and he urged that obviously there was no such capital in the infant territory.* From that time to this Morton has been active in the politics of the state, always making a brilliant fight, and nearly always an unsuccessful one. In this early legislature he was made chairman of a special committee to which was referred a bill incorporating the proposed bank of Richardson county. From this committee he submitted a minority report adverse to the chartering of this or any other bank, but this report was denied a place in the house journal,† though it subsequently appeared in the newspapers of the time. In that report it was urged that the legend on each bill issued by any of these so-called banks "to pass as money, to act as a tool of exchange in measuring values, or merely as a medium of exchange should be: 'Bill holders individually liable.'" Morton's two colleagues on the committee—Messrs. Wm. B. Hail and John C. Campbell—reported favorably to the incorporation of the bank, only making certain changes in the personnel of the company, which one suspects might have much significance if only some one yet able to interpret it could be found.

The Richardson county bank was not finally chartered, but on the 18th of January, 1856, five banks were chartered, as follows: The Platte Valley Bank (at Nebraska City), the Fontenelle Bank of Bellevue, the Bank of Florence, the Bank of Nebraska (at Omaha), and the Nemaha Valley Bank (at Brownville). The fact that all the bank bills were approved on the same day is indicative of the methods by which their passage was secured. Their charters had been all drawn in the same form. Each company was made up of less than a dozen persons. The stock was either \$50,000 or \$100,000, to be increased at will to \$500,000, and was divided into shares of \$100 each. When \$25,000 of the stock had been *subscribed* the company could organize and go to work. The stock was assignable and trans-

* See a letter from J. Sterling Morton to the author.

† See House Journal 2nd ses., p. 139; Jan. 22nd 1856.

ferable according to such regulations as the directors might think proper. The bank had power to issue notes, bills, and other certificates of indebtedness, to deal in exchange and do a general banking business. The stockholders were individually liable for the redemption of the currency issued, but there was no provision for a fixed specie reserve, nor other guard against individual rascality or incompetency.* There was indeed a provision for an annual report of the condition of the bank, to be made under oath to the territorial auditor, and to be published in three newspapers in the territory, but no such report was ever made.

While the act incorporating the Platte Valley Bank was under consideration, some attempts were made to throw additional safeguards about it. Miller moved to reduce the amount of possible stock from \$500,000 to \$300,000—tabled.† Kirk offered the following amendment:

“Provided, That no person shall become a stockholder in said bank by transfer or otherwise, until such person shall file a certificate with the commissioner, showing on his oath that he has real or personal property worth twice the amount of stock that he wishes to subscribe, and that over and above the amount of his indebtedness, and that there is no mortgage or incumbrance on said property.

“Provided further, That said stockholders shall be held individually liable for the issue of said bank while they are stockholders, even though they may transfer their stock before said issue shall be presented for redemption.” On motion of Mr. Decker, amendment tabled. Mr. Kirk also offered the following amendment:

“Provided, Said bank shall not issue more than two dollars for one deposited, and shall not pay or loan out of its specie for any other purposes than for the redemption of its own notes.” Tabled, and bill passed with all the original loopholes in a fine state of preservation.

In the third session of the territorial assembly in 1857, there was a perfect swarm of bank companies struggling for future existence; but by this time there was a growing suspicion that there might be “something rotten in Denmark,” and Mills S. Reeves and James S. Allen, a majority of the select committee of the council to which were

* For the charters of these banks in the order in which they are named in the text, see Acts of Second Legislative Session, pp. 224, 230, 177, 202, 208.

† For this and succeeding amendments, see House Journal 2d session Nebraska Legislature, pp. 89-90.

referred "sundry bank bills," made a report discouraging the incorporation of more banks. This report was not so much the outcome of the teachings of economic science as it was an ebullition of good sense and common honesty. The two men boldly say at the beginning that they are "not at all in favor of banking in general, but neither do they feel positive that the new state can get along entirely without banks, for they think that in that case eastern banks would send their money here and monopolize the gold and silver themselves.* Your committee would further state that if it was true that a little of a thing was good therefore more was better, this legislature might go on and charter a bank for every county in the territory. * * * * But where are to be found the honest men who would invest capital in a banking operation when every twenty-four square miles has a machine for grinding out a mean representation of money. Your committee can easily conceive that they are recreant to the interests of the persons who would readily engage in the business of securing charters and putting bills in circulation to the extent of their ingenuity, and when no more could be issued a failure would ensue and the bill-holder would have the privilege of holding them." Then in a style as ungrammatical and as innocent of punctuation as the above, they consider the evils of inflation, and again shifting the view, they say: "Look now, sir, at this machine as a bank of exchange and tell us what banker in any of our eastern cities would honor our paper, none would dare because they would have no certainty that the soulless thing would have any existence when the draft should return by express." Further on they say: "But suffer us again to return to the issue. We have now six banks add six more and we have twelve, a bank for every thousand inhabitants there with a capital stock of \$250,000; each would be equal to \$300,000 (\$3,000,000 evidently intended); three times that annually which is the remaining sum which they have a positive right to issue would be \$900,000 (\$9,000,000), this upon equal division would give to every man, woman and child \$750 currency, allowing every fifth of our twelve thousand inhabitants to be business men, then we would have for each man \$3,750. Now, sir, your committee would ask if there is a man upon this floor that does not see how perfectly absurd and ridiculous this whole affair is, even in the supposition that the capital stock was

* These extracts are copied from the Council Journal *verbatim et literatim*. The full report may be found, Council Jr., 3d ses., pp. 115-17.

reduced to fifty thousand dollars for each institutions, this would still leave for every man \$750. We would ask again; of what use would this money be to the bankers except to loan, but if they should loan, where would be their security for \$187,580 dollars?

"There is another view of this matter it would be well to look at. Who are the men that ask for these charters? Are they sovereign squatters of Nebraska? Not at all; most if not all of the leading men are from other states, who would be much obliged to us now to legislate to them the opportunity of filling our pockets with their bills, but who would laugh us to scorn when they had our gold and our property in their possession." In speaking of these banks as places of deposit, the committee say: "Who in his senses would think of intrusting money in the vaults of such institutions, if past experience would teach us anything. We would dread them as a highway robber, for hundreds who have had confidence in them have woken up in the morning and have found that the body of the soulless thing had evaporated and that there was nothing to represent their pocketful of bills but an old store, the counter, and a broom." The committee next take high moral grounds, for after saying that "it will avail us little to wail our folly and wickedness when the territory is bankrupt," they point to the fact that "privileges, exemption, and facilities for speculation" encourage and multiply rascals. "The honest portion of the community with vice constantly before their eyes become assimilated with it, its odious features and soon become familiarized, they wink at the monster and it is well for them if they are not fascinated and become parties in a grand swindle of the confiding and unthinking portion of the community."

Thus far, the report of Messrs. Reeves and Allen is climacteric, and one only wishes that the public printer had helped them out more on the grammar and punctuation, but the conclusion is weak. They "are not willing to assume the responsibility of saying that there shall be no more banks chartered at this session of the legislature," and only recommend certain amendments in case the council should see fit to pass any of the bills referred to them. The amendments recommended limited the amount of stock to \$300,000, reduced the maximum interest chargeable to eighteen per cent per annum, provided for the deposit of adequate securities with the state treasurer, and made the stock non-transferable except after three months' notice of the contem-

plated transfer. A minority report from the same select committee favored the chartering of the six banks in question, but later the standing committee on corporations, S. M. Kirkpatrick, chairman, reported adversely, as more than a dozen banks had applied, and it would be madness to charter them all.* The result of the struggle was, that during the third session only two more banks were turned loose to prey upon the wealth of the young territory—the bank of DeSoto† and the bank of Tekama,‡ both acts being finally passed Feb. 13, 1857. Both were vetoed by the territorial governor, Mark W. Izard, and both were passed glibly over his veto. In the message relative to the bank of Tekama, he said complacently that he had many good reasons for refusing his assent to the bill, but thought it only needful to affirm his honesty in pursuing the course he did, and concluded as follows: "Acting upon the principle that it is better that one man should die for the state than that all should perish, I most cheerfully take the responsibility of withholding my signature from the bill above recited, and herewith return it to the house in which it originated for its reconsideration."§ As hinted above, the legislative gulf swallowed down this would-be Curtius without the slightest difficulty and still yawned horribly for more.

This ended the incorporating of banks by the territorial assembly of Nebraska, for in the summer of 1857 came a financial panic, and those in existence failed unanimously. But yet another attempt was made in 1858, and that of a more ambitious kind than any that had preceded it. In the autumn of '58, during the 5th session of the territorial assembly, a sleek gentleman by the name of Richardson appeared in Omaha, and began to "wire" through a bill to incorporate the "State Bank of Nebraska." This was to be an extensive affair, having direct dealings with the state. It was to be located at Omaha, but to have branches in other parts of the commonwealth. The council passed the act of incorporation, but rumors of bribery and other illegitimate methods of influencing votes began to circulate, and finally, according to a newspaper account of the time, Dr. Miller found upon his desk a note, promising that if he would support the measure he should receive \$250 in cash and the privilege of making a loan of \$5,000 without interest as soon as the bank should get to doing busi-

* Council Jr., 3d ses., p. 161.

† Acts, 3d Leg. ses., p. 145.

‡ Acts, 3d Leg. ses., pp. 113-4.

§ House Jr., 3d ses., pp. 174-5.

ness. He made a public exposure of the attempt to bribe him, and the result was that the legislature joined in the general cry to hunt down the wild "cat" that had thus been let out of the bag.* Mason, in the house, moved an investigation of the charges of bribery† but nothing came of it, though no man dared to vote against the appointment of the committee.

I have dwelt thus at length upon the origin of Nebraska's territorial banks because the political part of political economy is so often the most important portion, and because this is especially apt to be true where strictly economic forces have their origin in what is known as "practical politics."

The only statistical statement relative to the condition of these early banks which I have been able to find is the one given below, taken from the report of the comptroller of the currency for 1876. Correspondence with that officer assures me that the statements from which the table was compiled are no longer in existence.

STATISTICS OF NEBRASKA STATE BANKS, 1857-61.‡

		PRINCIPAL RESOURCES								PRINCIPAL LIABILITIES					
Years		No. Banks	Loans and Discounts	Stocks	Due from Banks	Real Estate	Notes of other Banks	Specie Funds	Specie	Other Resources	Capital Stock	Circulation	Deposits	Due other Banks	Other Liabilities
1857	4	\$	418,097	...	\$ 129,804	3,975	\$ 15,069	210	\$ 136,325	\$ 2,154	\$ 205,000	\$ 353,796	\$ 125,291	\$ 1,749	\$
1858	6		15,679	...	35,601	3,850	1,000	.....	5,683	.....	15,000	41,611	3,673	.....	2,576
1859	2		97,087	...	3,127	1,155	1,399	26	6,629	1,341	56,000	23,346	23,748	4,418	.....
1861	1		72,406	...	4,443	7,885	1,209	.....	5,627	404	60,400	16,007	10,717	.....	5,530

In the study of this table it is to be noticed, (1) That not all the banks reported, and that only those which were in the best condition would do so; (2) That the returns seem to have been made for June of the year to which they are assigned, and so the panic which reached Nebraska in the fall of '57 is not indicated by the table till 1858; and (3) That for this year the names of some banks that had already failed must have been counted, as there were certainly not six solvent banks in the territory at any time in 1858; and furthermore it is not credible that there could have been six banks doing business with an aggregate capital of only \$15,000.

* See an article of a column and a half in the *Florence Courier* for Nov. 4, 1858, copy in possession of Mr. Reed, of Omaha.

† House Jr., 5th ses., p. 168.

‡ Fin. Rep. 1876, 230-31.

Before taking up the story of the panic of 1857, it may also be of interest to see how far the assertion that the banks were not owned by "sovereign squatters" of the territory, made by our valorous committeemen, Reeves and Miller, was borne out by the facts. After ruin had struck the banks in Nebraska, a correspondent of the *St. Louis Republican* thus places the ownership of the capital that had been invested in them :

Nemaha Valley Bank, Galesburg, Ill.

Platte Valley Bank, Nebraska City, Neb.

Fontanelle Bank of Bellevue, Elgin, Ill.

Western Exchange, Fire and Marine Ins. Bark, Galva, Ill.

Bank of Nebraska, Council Bluffs, Ia.

Bank of Florence, Davenport, Ia.

Bank of De Soto, Wisconsin.

Bank of Tekama, Bloomington and Gosport, Ind.*

Thus we see that with one exception the banks were owned by men who had nothing more than a merely speculative interest in the territory.

In September, 1857, what Morton called "John Lawism" in Nebraska came to its usual calamitous conclusion. The panic of this year began in Cincinnati by the failure of the Ohio Life & Trust Company, and the collapse in New York of the then famous broker, John Thompson. Financial storm signals are often but tardily heeded; newspapers especially are inclined to insist that everything is secure, when in fact everything is imperiled. Thus the *Omaha Nebraskan*† on September 12, 1857, published a clipping from the *Chicago Times*, which speaks of the failures of eastern bankers, and congratulates the west on the sound financial condition of this region in general and of the western banks in particular, and then adds complacently, "Even should there be a much greater tumbling among these institutions (the eastern banks) than we now have any reason to expect, our western banks will scarcely feel the shock. Wall street may be the money center, the great stock and currency regulator, but the money strength of the country is in the west." This rather obscure and illogical declaration of financial independence failed to nullify the laws of trade. The five older banks, those chartered in 1856-7, were "circulating" their paper currency as fast and

* Reprinted in the *Brownville Advertiser* of July 8, 1858.

† See file in State Library.

far as possible. As the wave of bankruptcy swept towards the state, it became the journalistic duty of Robert W. Furnas, who had started and at that time still edited the *Brownville Advertiser*, to express his confidence in the solidity of Nebraska banks. September 24 he gives it as his opinion that the failure of the Ohio Insurance, Loan and Trust Company is only used by certain rotten concerns as an excuse for failing and that no one need fear for really well established institutions.*

On the day previous to this issue of the paper, the 23d day of September, 1857, the Western Exchange and Fire and Marine Insurance Bank of Omaha closed its doors, and the president, Thomas H. Benton, jr., issued an address to the public saying that the business would be wound up as quickly and economically as possible. Lowe, Parker, and Wyman were appointed trustees. The company had been the first one of any kind incorporated by the territorial legislature, and its life, dating from the 16th of March, 1855, was quite extended for an institution of the kind and time. It had issued currency without check, apparently, as its charter conferred no power to do so, and therefore no regulations regarding the issue.

The assets, as given in the schedule published by the trustees, would not be very satisfying to anxious creditors. There were \$288,083 of "bills receivable and notes discounted." There also purported to be "stock certificates" to the amount of \$80,000, and besides these more than doubtful resources there were only \$191.30 in specie and \$121 in bills of the insolvent banks.†

The Nemaha Valley Bank had begun operations November 10, 1856, under the presidency of S. H. Riddle. He had been succeeded by Barkalow and the latter by McKoy, and at each change of administration the *Brownville Advertiser* expressed renewed confidence in its soundness.

As John L. Carson was sitting in his private bank at Brownville, one fine midday in the fall of 1857, Alexander Hallam, cashier of the Nemaha Valley bank, came in at the rear door with an anxious look upon his face. Carson understood the condition of things well enough so that he guessed the cause, and said :

"What's the matter, Hallam, bank closed?"

* See Furnas' file of *Advertiser*.

† History of Nebr., p. 693.

"Well, not closed exactly," was the answer, "No use of closing, nothing to close up on." *

But the cashier was not quite so confidential with everybody. At his request Editor Furnas of the *Advertiser* inspected the accounts of the concern and finds that the bill holders are secure against all possible loss. The resources of the bank are: Stock notes, \$73,000; discounted paper at thirty and sixty days, over \$5,000; cash, over \$1,000. The books also show that there are \$33,000 of the bills of the bank in circulation.†

The above is a very fair example of the kind of "statements" that newspaper men are apt to get stuffed with whenever it is thought necessary or best to "keep up public confidence." Were a bill holder at all inclined to be suspicious he would hardly get much reassurance from such a presentment of the case. Suppose, for instance, that it should transpire that the \$73,000 of "stock notes" were virtually worthless. Such a thing is not by any means improbable, as the stockholders often "paid up" the capital they had subscribed by putting in their personal notes, and then, if so inclined, they could easily take measures to render these as worthless as so much waste paper. Then suppose, further, that the discounted paper had been received from those who were not reliable, at least during a financial crisis. Suppose also that the \$1,000 in alleged "cash" was merely a collection of the bills of other banks as worthless as the one under investigation; and suppose, finally, that the books had been "doctored" and that there was much more than \$33,000 of the bills of the bank outstanding. Such would be about the condition of the typical wild cat bank, and such was nearly the condition of the Nemaha bank in the fall of 1857.

The Brownville *Advertiser* noted it as a misfortune that McKoy, the president of the bank, was absent in the east at the time of the crisis. This may have been a misfortune, but certainly it was not so for the gentleman himself. Nor did he hasten to get back with all the speed that had been expected of him. In fact he never came back at all. The paper that had regretted his absence on his own account came eventually to regret it on account of others. "Legal notices" were published to inform him that he was wanted, and the calls were loud and frequent which summoned "Thomas L. McKoy to come into

* Pers. Rec.

† *Advertiser*, Oct. 1, 1857.

court." It might have been thought that when the steamboat tied up at the Brownville landing that fine September noon and the hands and others started up town to get their supply of Nemaha Valley currency turned into specie, that the end of the thing had come. It seemed quite final to the men that held the bills when they found that Hallam had closed the front door and slipped out of the back one, and they had to return to untie their steamboat, and float off, somewhat wiser and a good deal poorer than they had landed. But some of the most interesting incidents concerning such money mills are apt to come out after their emaciated ghosts get to haunting the law courts.

In the cramped pigeon holes "where sleeps in dust" all that is legally mortal or memorable of bygone misfortunes and departed villainies, one may at times even happen on to a sort of intimation of something that might in its time have been almost humorous. In the records of the district court which then sat at Brownville, we find four cases against the Nemaha Valley bank.* Hallam, McKoy, and all that had been connected with the bank suddenly vanished. Advertisements failed to bring them to light, but each time as a given case was about to go against them by default, an attorney would put in an appearance, and spend his time making technical pleas designed to delay proceedings. Property was levied on that turned out to belong to other folks; a lot or two was sold. Finally, in June, 1850, Sheriff Plasters levied upon a safe, a table, a stove, and a letter-press, which altogether brought \$63, and subsequently, in the case of S. F. Nuckolls vs. the Nemaha Valley bank, an execution is returned unsatisfied, the sheriff reporting that he can find nothing to levy on. Stored away with the other evidences in these cases, is nearly a thousand dollars' worth of the old currency. The engraving is excellent. The writer thoughtfully held one of the old, worthless promises to pay up to the light, half expecting to find a water-mark representing a wild cat rampant, but none was visible. The printer had done his utmost to make the bills valuable, and so well had he accomplished his purpose that long after the bank had failed, an enterprising citizen of Brownville took a pocketfull of the currency down below St. Louis and passed it as good money.† The last plea which McKoy ever ventured to make (even by attorney), in a Brownville court, was that

* Records of Nemaha Co., Dist. C. Cases 17, 78, 81, 175.

† Pers. Rec.

the "Nemaha Valley bank," so called, could not legally be sued since as a matter of fact it had never been incorporated at all!

Most of the other concerns died ignobly, without the formality of "trustees," or "addresses," or "statements," or anything else pertaining to a decent or orderly taking off. For instance, we find the bank of Tekama leaving more than \$2,000 of its currency to gather dust in the vaults that hold the records of the district court of Omaha. The bills are quite captivating. Miss Columbia, at the top of the ones, is leaning over to tickle with the rod of Mercury the ribs of a very Greek-like Indian, and from opposite ends of the fives, James Buchanan seems to be carrying on a flirtation with a lackadaisical girl, who has curly hair and bare feet. This bank was also advertised for in the *Nebraskan*, and reported by the sheriff of the county as "not found." The last suit this bank was engaged in, Messrs. Frank and Matsenbaugh put \$428 of the currency in evidence, and J. M. Woolworth, as attorney of the bank, moved to quash the attachment, because in the petition the plaintiffs had brought suit against "The Bank of Tekama, in Burt county," whereas the institution had been incorporated as "The Bank of Tekama, in Burt county, *Nebraska territory*."*

The only record we find of the assets of the Bank of Nebraska, at Omaha, is in the return of a writ of execution by the sheriff of the county, when he reports having levied upon and sold the following property: "Thirteen sacks of flour, one large iron safe, one counter, one desk, one stove drum and pipe, three arm chairs, and one map of Douglas county."

Though there was much trouble about finding some of these banks, yet others have continued to keep their existence, or rather their having existed, before the public for a very long time. The name of the Bank of Florence remains in gilt letters upon the old building even unto this day, though the old Mormon town of Florence has long ceased to be Mormon and has also ceased to be a town. DeSoto was also at one time an ambitious place, but has since evaporated to such an extent that there is nothing left of it but an old mill building. Kountze, at that time a real estate man of DeSoto, and still prominent in Omaha business circles, redeemed the issue of the bank of DeSoto in a sort of desultory manner, buying it up for what it was selling at in

* App. Docket "B," case 76, Dis. Co., Douglas Co.

the market, and so getting most of it out of the way. This bank did not try to start up till after the panic of '57, and some of its bills bear a date as late as 1863.

When one of these banks was in any sense secure it was because the men who established it were honest enough to be willing to suffer themselves rather than to let others do so in consequence of their mistakes. This was the case with the Platte Valley Bank. So great was the confidence of the people in that institution that even after the banks at Omaha had failed and the rush upon this one at Nebraska City had begun, many of those who happened to have gold or silver on hand went to the bank and deposited it.* This mark of perfect confidence and tender of practical assistance could not, however, prevent the suspension of specie payments. But in this instance public confidence had been well placed. All the bills of this bank were redeemed at par, and it was the only territorial bank of issue of which this could be said. It was true of the Platte Valley bank, not because the institution was intrinsically sound and prosperous, but because S. F. Nuckolls would never allow it to be said that paper bearing his name had been worth less than its face value.†

One effect of the circulation of so much bad money in the territory was, that people came to feel as though anybody had a right to start a bank if only he could get the bills properly engraved. All the banks that had taken the trouble to secure charters soon violated even the loose provisions of those slipshod documents, and therefore it did not seem very extraordinary that banks should start business without any charters at all.‡

Such, for instance, was the "Waubeek Bank of DeSoto." In July, 1857, the *DeSoto Pilot* felt it its duty to warn people against this institution, saying that the bills were being circulated at a distance and that when the crash came the reputation of the town would suffer. The *Omaha-Nebraskan* alluded to the item in the *Pilot* and urged that such a bank was just as safe as those that had charters, since it must at best all depend upon the individual stockholders, and then took advantage of the occasion to call attention to the advertisement of the

* *Brownville Adv.*, Oct. 1, 1857.

† The same is claimed by Sorenson (early hist. Om.), for Kountze and the bank of DeSoto. The statement made in the text regarding the latter bank is based on the statements of three different men who were acquainted with the circumstances, but it may not do the concern justice.

‡ A requisition of Governor Richardson to the district attorney of the first district, ordering him to proceed against these institutions, seems to have led to very little, if to any good.

Waubeeek bank in another column.* Other banks that operated without charters or under a strained construction of some general statute were numerous. Such were the Omaha and Chicago bank, the Bank of Dakota, the Corn Exchange bank at DeSoto, and the Omaha City Bank and Land Company.† The paper of these banks looks as well as that of the others, and no one seemed to have cared whether the date and fact of charter were in one corner or not. The state was in much the condition in which Wisconsin found herself when, as is stated by a some time member of her senate, the members of her legislature used to have to sort their money each morning after reading the paper, and throw away what was worthless.

An article that might have served for such a purpose appeared in the *Omaha Times* for April 5, 1858.‡ This article was clipped from the Council Bluffs *Bugle*, and from its general tone may, I think, be taken to be unreliable. According to this statement the issues of the Bank of Nebraska, and of De Soto, and of the Platte Valley and Waubeeek banks were then at par; Nemaha Valley at fifty per cent, Western Exchange at seventy-five per cent, Fontanelle Bank of Bellevue, at sixty per cent, and Bank of Florence at eighty per cent discount; Tekama nowhere.

So great was the tendency to manufacture money that even the "Brownville Hotel Co." issued scrip to enable them to put up a hotel, and the *Advertiser* endorsed their action.§ Omaha early took advantage of the same method of borrowing money without interest. The need in this case was certainly pressing. The general government had made a limited appropriation for the erection of a capitol building on the spot where the Omaha High school now stands. The territorial authorities, setting an example which has been assiduously followed by their successors of the state, adopted plans for the building which called for more than double the amount of money at their command. The general government, strange to say, refused to believe that more money was needed, and the walls of the abortive structure stood piteously incomplete, ruined and stormed on, and rapidly falling into decay. Other towns that wanted the capitol themselves were greatly tickled at the prospect.

So, during the recordership of H. C. Anderson, and while Jesse Lowe

* *Nebraskian*, July 8, 1857, file at State Library.

† See Reed's collection of the early bank issues.

‡ See Reed's file.

§ Nov. 5, 1857.

was mayor, the city issued \$50,000 of scrip; this sum being speedily exhausted, and the capitol still being unfinished, another issue of the same amount was made. There are still dark rumors wandering through the back alleys of Omaha, that some of this was not applied in a manner to promote most rapidly the building of the needful edifice, but they are intangible and it is idle to pursue them. The scrip issued at first passed at par, but soon depreciated, was good only to pay city taxes with, and most of it was a dead loss in the hands of the holders. The people of Omaha were quite complacent regarding the issue even after it had become worthless. They looked upon it as "a war measure," necessary to keep the capitol, and as citizens of the town were for the most part the losers by the depreciation of the stuff, so they also were the chief gainers by the completion of the capitol.

In the possession of Byron Reed of Omaha is an almost complete collection of the issues of all the above named banks. Only the Platte Valley and the Bank of Nebraska are not represented, and the collector would gladly give face value for specimen notes of these banks. Looking at the two large frames filled with these, for the most part, dishonored promises to pay, one may have a very instructive object lesson in finance. Only two of the banks issued bills of a denomination as high as ten dollars, and none higher, and the intention was obvious that they should wander away and never come back for redemption till the concern that issued them should be "beyond redemption." We have tried the experiment of cheap state-begotten banks, and the experiment has taught us that the power to issue money should not be left to the regulation of various state legislatures, because many of these are sure to prove unwise, and some of them dishonest. The currency must, on the other hand, be controlled by a power wise, and honest, and strong enough to properly understand and minister to the needs of the whole people. If this lesson has been thoroughly learned it is worth what it has cost.

III.—SECTIONAL POLITICS.

Some indication of early political methods has been given in the first of these sketches; and all the virulence of the early fights turned mainly on sectional issues.

Party lines hardly existed in early times. The patronage of the territory was in the hands of the democratic appointees of the demo-

cratic administration at Washington, and so large a portion of all who meddled with politics were democrats, who had come here for the express purpose of sharing in that patronage, that none ventured to dispute the claim of the dominant party. This left the field clear for family quarrels of tremendous vigor within the party itself, made personalities the stock in trade of the political newspapers and the stump speakers, and left sectional issues to play havoc with all good feeling between the different districts of this state. No political conventions were ordinarily held in the counties. Each man announced himself, through a newspaper or on the stump, as a candidate for a certain office, and then took off his coat and went into the general hair-pull with all the vindictiveness and all the skill that nature had vouchsafed him. As high as fourteen candidates at one time blossomed out in Nemaha county when only four could possibly succeed.* In state politics each man fought for his section, in county politics each man fought for himself. The location of the capital was of course the main bone of contention, and the whole of this long fight, together with the initial struggle between Bellevue and Omaha, is told at length in another part of the present volume. The first capital fight was carried on by a knot of schemers gathered about F. B. Cuming. Had they been able to raise \$15,000 more than they could, in fact, command, or had Father Hamilton consented to bribe Cuming, the capital would have gone to Bellevue instead of to Omaha. It was felt at the time and has since been acknowledged by all that Bellevue was the place where it should have been located. It was nearer the center of the settlements then existing, was situated in a much better location for the development of a large city, and would have had a much easier exit for a west-bound railroad. The recognition of all these facts helped to intensify the jealousy with which the successful city was regarded by the rest of the river towns, and the attitude of territorial politicians was most easily stated by the formula, "Omaha against the field." Besides this enmity felt towards a growing and aggressive town there was the ever present and ever useless contest between the sections of the north and south Platte.

The struggles engendered by these jealousies culminated during the session of the territorial legislature in the early part of January, 1858, and the manner of waging the contest was so characteristic

* Pers. Rec. See also any of the early files of the Omaha papers for examples of these advertisements. Omaha *Times*, of July 30, '57, contains eighteen such advertisements.

that it will be worth while to describe it at length. At Florence, on the 9th day of January, 1858, the following manifesto was issued :*

"To the People of Nebraska, Fellow Citizens : The general assembly of Nebraska territory is no longer able to discharge its legitimate functions at the Omaha seat of government. Owing to the organized combination of a minority of its members, aided by an Omaha mob, and encouraged by the Omaha *Executive*, they have been compelled to adjourn their present session to the nearest place of safety. They accordingly assemble to-day at Florence, pursuant to adjournment.

"The sovereign power of legislation for this territory is now exercised alone at this place. The house of representatives, J. H. Decker speaker, retains twenty-four of its thirty-five members. The council, L. L. Bowen, president, retains nine of the thirteen members, being two-thirds of their respective bodies.

"It has been long supposed that whenever the interests of Omaha became concerned, it became hazardous to attempt legislation at Omaha. The course of the minority during the whole session has been characterized by tricks and chicanery, unworthy a manly system of legislation. It culminated in violence on the seventh instant. On that day the factionists, allied with Omaha ruffians, dragged the speaker of the house by force from his stand while attempting to discharge his duties, and the Omaha mob, armed and ready for any emergency, applauded the foul act—affixing to Nebraska legislation an indelible stain, and covering the fair name of Omaha with ineffaceable INFAMY.

"Omaha can boast of having degraded the sovereignty of the people by thus exposing the person of her elected Representative to the unresisted violence of an irresponsible rabble !

"Omaha can boast of having arrested the wheels of legislation at the capital !!

"Omaha can boast of having driven the legislature from the seat of Government.

"Yet Omaha still retains the Capitol, bought with such an infamous past of corruption, violence and crime, but the sceptre of

* This manifesto was copied carefully from the printed circular issued at the time, a copy of which I found loose between the leaves of the first volume of the *Brownville Advertiser*, the file kept by R. W. Furnas. This is the most complete file of early papers I have yet found in the state, and my thanks are due to Gov. Furnas for courtesy shown in permitting me to use the same.

legislation has departed from the ill fated city, and the law givers from its *riotous* halls forever.

"The issue now made by Omaha with the squatter sovereigns of the whole territory can have but ONE solution!

"The interests and the rights of the whole of the masses will no longer be made subservient to the intrigues or machinations of one locality. It is no longer a question as to the location of the city of their government merely. It has now become a question as to the right of the people to rule! It can have but ONE answer—the *majority must prevail*.

"The legislature is now free from faction and from violence. Its acts will be free and untrammelled. It will finish out its organization at this place, zealously devoted to the legitimate legislation required by the wants of the public and the interests of the Territory, and if such honest efforts shall fail of consummation, they will leave the whole responsibility with the accidental Executive, who, albeit not elected by or responsible to the people, while clothed in a little brief authority, in the absense of the governor *may* dare to thwart their sovereign will!

"For the full justification of our course we confidently appeal to our own *constituencies*, to whom alone we acknowledge responsibility."

This document was signed by the following members of the assembly:

MEMBERS OF HOUSE:

James H. Decker, <i>Speaker</i>	C. T. Holloway
J. G. Abbe	Wingate King
W. B. Beck	T. M. Marquett
W. G. Crawford	D. B. Robb
J. C. Campbell	P. M. Rogers
S. A. Chambers	J. S. Stewart
P. G. Cooper	L. Sheldon
E. A. Donelan	S. A. Strickland
James Davidson	J. M. Taggart
Joseph VanHorn	A. J. Benedict
Amos Gates	Alonzo Perkins.
W. B. Hail	

SENATORS :

Leavitt L. Bowen, <i>President</i>	S. M. Kirkpatrick
Mills S. Reeves	Wm. Clancy
James S. Allen	R. W. Furnas
Jacob Safford	A. W. Puett.
A. A. Bradford	

Turning, however, to look at the matter from the Omaha standpoint, we can get a good view of their side of the case by glancing over an "extra" issued by the Omaha *Nebraskian* on January 8, 1858.* As is usual on such occasions it was a document rich in head lines and exclamation points :

"BORDER RUFFIANISM IN NEBRASKA ! KANSAS OUTDONE !! BOLD ATTEMPT AT REVOLUTION !!! SPEAKER DECKER HEAD-ING THE REVOLUTION !!!! *Revolutionists to Organize Another Government at Florence under the Protection of Brigham Young !!!!!*" Then the "extra," settling down to ordinary type and contenting itself with only an occasional eruption of exclamation points, like the recurring sobs of an aggrieved child, goes on to talk of the "infamy" of the majority of the legislature and proceeds to give the "facts" in the case. According to this account the house had gone into committee of the whole on the election of a public printer. A bill had been previously introduced for removing the capital from Omaha. While in the committee of the whole, certain Omaha members, having obtained the floor, began to talk against time, so that the committee of the whole could never rise till the friends of the capital bill would promise not to push it. While Poppleton and Clayer were speaking *ad libitum*, Decker and his conspirators withdrew to the Douglas house, there to caucus, leaving the "committee of the whole" to grind out eloquence without a quorum. In the caucus it was resolved, according to this account, to get possession of the chair at all hazards—"get it or die," Decker is reported to have said. Rumors assert that they armed themselves with revolvers and knives, but the *Nebraskian* does not state this as established. Returning to the capitol building they persuaded the clerk of the council to go into the house with a message from the upper chamber. To receive this in the usual parliamentary manner it would be necessary for the speaker of the house to resume the chair. This of course was what Decker

* A copy of this extra is also preserved with vol. 1, Br. *Adv.*

was ready and anxious to do. The chairman of the committee of the whole, however, saw fit to ask if the council was in session. As it was not he ruled that the message could not be received. Decker and his followers then assaulted the chairman, seized or attempted to seize the gavel, and a general melee ensued. Decker being at the head of the assaulting party, his life was at one time in immediate danger, but Hanscom of Omaha valorously interposed and saved him by "quickly rolling him under the tables without waiting to suspend the rules." The lobby during all these performances was very "quiet and orderly" and was soon afterwards cleared at the request of a member from Omaha. The next morning the house adjourned to meet at Florence, which being wholly inadvisable, and the clerk of the house refusing to remove the records or to record such a motion, the minority continued to meet in Omaha and adjourn from day to day, not having a quorum. At the time the motion to adjourn to Florence was made in council, Dr. Miller was in the chair, and ruled the motion out of order, as it took a joint resolution, passed with the concurrence of the governor, to adjourn to any other place. Appeal was taken to this decision and sustained by a majority, but as he still refused to put the motion, the member who made it put it, and those who had voted for it moved off to Florence. The "extra" concludes by saying that they have talked with disinterested men from all parts of the territory, and that it is everywhere conceded that the position of the minority is "legal, parliamentary, and correct."

Taking another position to see if haply we can get yet another view of this affair, we will look at it through the eyes of the editor of the *Nebraska Pioneer*, a paper published at Cuming city, the editor of which was at Omaha during the excitement, and who hastened to get out an "extra" as soon as possible, which was on the tenth of January.* He did not use so many headlines as the *Nebraskian*, but the body type was much larger, which perhaps answered as well. He goes back to relate how on the 6th inst. Mr. Abbe, of Otoe, had introduced in the house of representatives a bill for the removal of the Capital from Omaha. As soon as it was introduced a motion was made by an Omaha member to adjourn. Much confusion prevailed, but the motion being put, was lost by a vote of 25 to 10. "Then commenced a scene which places border ruffianism

* With Br. *Adv.* vol. I.

far in the shade. One of the members from our county (Mr. Perkins) was rudely assaulted by two prominent citizens of Omaha, and it is with deep regret that we state that one of these *gentlemen* was a member of the council. The war was now fairly open—Omaha against the territory. All manner of means was used to stave off the bill, but the minority not being able to stave it off any longer at that time, ‘condescended’ to allow it to be read the first time, which being done, the house adjourned.

“Thursday morning the house convened as usual and went into committee of the whole on the election of a public printer. Mr. Strickland in the chair. Mr. Strickland, wishing to make some remarks on the question, called Morton to the chair; the minority then boasted that they had the chair and would keep in committee of the whole the balance of the session unless the majority would agree to withdraw the capital bill. Mr. Poppleton, getting the floor, commenced his famous speech against time; he spoke of all conceivable subjects except public printing, beginning as far back as Gulliver’s famous history of the Lilliputian war. The lobbies were crowded, and Mr. Poppleton was loudly applauded by the Omaha lobby members.” Leaving to get something to eat, the editor of the *Pioneer* on his return found Dr. Thrall, of Omaha, in the chair and Mr. Clayes on the floor. Mr. Clayes asserted that it did not much matter what he said, as he had to talk nine days.

“About this time a message was announced and the speaker went to the stand to receive it. Hanscom rushed to the speaker and dragged him from the chair and after some scuffling threw him violently under a table.” Beyond this point the account given by the *Pioneer* is lurid and wrathful, concluding with an apparent afterthought to the following effect: “We have just received an extra issued by the Omaha *Nebraskan* which we unhesitatingly pronounce a tissue of misrepresentations.”

Still more journalistic light is shed upon the occurrences of that exciting Thursday by an account written by Robert W. Furnas for his paper, the *Nebraska Advertiser*.† He was one of the seceding members of the council, and took his time to prepare his two-column statement of the case, which did not appear in the *Advertiser* till the 28th of the month. According to this account it seems that Omaha had published a list of property in the city which was said to be

† Br. Adv., Jan. 28, 1858.

pledged for the redemption of the scrip issued to complete the capitol building. Among the rest was placed the "Capitol square and the building thereon." This was an eye-opener to the members of the assembly from outside Omaha, who had supposed that the territory owned the square and building too. The capitol bill was then drafted as a means of bluffing the Omaha authorities into deeding the capitol and grounds to the territory. Furnas promises to bring affidavits to prove that had this been promptly done the capitol bill would never have been introduced. The other party was, however, ready to go them one better on the bluffing game, and things had to come to a crisis. With thorough appreciation of western character Furnas says that when the parties got to "you must," and "we will not," it was nothing strange nor unexpected that a "general pitch in, knock down and drag out" should occur among the members.

The *Nebraska City News* * commented on the affair as a most fortunate occurrence, because it led to the division of the territory on the line of the Platte, and this the editor considered most desirable: "The gentlemen may cry 'peace, peace,' but there is no peace."

The fact seems to be that the territorial assembly could not in any case have removed the capitol from Omaha without the consent of the executive, so that this affair was in its last analysis a mere ebullition of gratuitous lawlessness. At any rate the session of the majority of the assembly at Florence brought about no permanent results.

For further information regarding the early sectional squabbles the reader is referred to the paper by C. H. Gere in this volume on "The Capital Question."

IV.—POLITICS PROPER.

It may very properly be said that Samuel G. Daily was the Moses of the Republican party in Nebraska. There was no such organization till he was nominated as the party candidate for the place of territorial delegate to congress; to that position he was elected, and in it he was installed after a most bitter contest with Estabrook. Before this time nothing was considered a worse charge than to accuse a person of aiding or abetting the "Black Republicans." This fearful slander was bandied back and forth by the newspapers and politicians. An old copy of the *Omaha City Times* is even unto this day black in

* Jan. 16, 1858.

the face (with head lines) so vehemently did it resent this imputation on the part of the *Nebraskian*. Between these two papers there was constant war. It has already been told how early political struggles centered about personal and sectional issues. These two papers were both in Omaha, and so were agreed on sectional questions, and the feud was necessarily a personal one. The Omaha postmastership was one of the bones of contention. The editor of the *Times* wanted the position, and held it periodically, according as his influence or that of Bird B. Chapman could be most efficacious in "working" the administration at Washington.

This Bird B. Chapman was an Oberlin graduate, who had taken the trouble to come all the way from Ohio to be made congressional delegate from the new territory. His first care was to establish a newspaper, the *Nebraskian*, which he left in good hands while absent in Washington, contesting for or occupying a seat as territorial delegate. The early papers talk about him and his carpet-bag, and he seems in reality to have been the prototype of the vast swarm of carpet-baggers that the south afterwards claimed to be overrun with.

Like others of that ilk, his success was more flattering at first than later. In 1856, we find Hiram Bennett contesting his seat. The majority of the house committee on elections reported in favor of the contestant. But no one need conclude from this that there was any show for Brother Bennett. On the contrary, they had concluded that Chapman was to have the place, but had made a report of the kind stated merely to mollify Bennett, and to make it appear right and fair that congress should vote to pay his mileage and per diem while contesting.* This way of doing was quite common, as it may be yet, and gave enterprising statesmen a chance to visit Washington and spend some months there agreeably and even profitably. Chapman got his seat and Bennett got the mileage and per diem as had been predicted by the metropolitan papers at the time of the committee report. The seat was hardly won, however, before the term expired and Chapman came home to wage fierce struggle for re-election.

One of the first attempts at a party convention was made during the summer of 1857. It was ostensibly a family gathering of democrats, but in reality was only a caucus of one wing of that party.

The Omaha papers declare that only two counties were actually

* June 7, 1856.

represented, while individual men who happened to be present and "in sympathy with meeting," were allowed to cast the entire vote of two or three other counties. The *Nebraskian*,* in a long and laborious attempt to make fun of the whole affair, has the customary irruption of headlines, and breaks out all over its bespeckled surface with italics and exclamation points. With long drawn out type, apparently intended to represent a typographic grin, it declares that the mountain (the Bellevue convention) has labored and brought forth a mouse (Judge Fenner Ferguson). The convention had certainly not been the most decorous and regular in the world, for the Brownville *Advertiser* speaks of the hubbub and brawling, in which "pistols, bowie-knives, and such like representatives of the people," played no inconsiderable part. As a matter of fact the convention was made up of those hostile to the interest of Omaha, and the *Nebraskian* calls Ferguson "Strickland's and Mitchell's great anti-Omaha, anti-democratic candidate for congress."

To say that he was an anti-democratic candidate was a damning charge. It was in this campaign that Thayer took occasion in a speech in Omaha to clear himself of an alleged taint of republicanism, and to declare himself a supporter of the administration of James Buchanan.† It was just before the beginning of this campaign that Robert W. Furnas declared that his paper, the *Advertiser*, was no longer to be independent in politics, but would be henceforth strictly democratic, and a "firm supporter of the great principles of the party of Jefferson, Jackson," et al.‡ It was long after this campaign that Judge O. P. Mason thought it right and very expedient to take the stump for a democratic candidate.§ But in 1857, though Ferguson had been nominated by a would-be territorial democratic convention, yet his two opponents claimed to be more intensely democratic than himself. One of these was the above mentioned Bird B. Chapman, and the other was Gen. Estabrook. The name of the latter gentleman had been set at the head of the Omaha City *Times* as a candidate for delegate. The post-office fight was now at its hottest. The editor of the *Times* had recently been removed from office, a mass had been called to get indignant over the outrage, and the editor of the *Times* had used the following language relative to his brother editor of the *Ne-*

* July 15, 1857.

† *Nebraskian*, Sept. 2, 1857.

‡ June, 1857, at beginning of second year of *Advertiser's* existence.

§ For Kinney against Daily, 1862.

braskian: "This editor, the slave of a man who is so contemptible his name defiles the mouth that speaks it, has taken this opportunity to insult and spite the people of this place. The whole faction of imported bobtails and sneaks feel the utter loathing which our towns have for them, and they cannot help casting their poisoned missiles on every occasion."*

To add zest to this triangular contest for the delegate's seat in congress, as many as eighteen different persons advertised themselves in one of the July numbers of the *Times* as candidates for various local or territorial offices. These midsummer campaigns, intensified by such heated rhetoric as seems to have made up the stump speeches of the day, must have "made things hot" for political aspirants in more senses than one. But at that time there was nothing else for it. Each man had to go campaigning with his own conveyance, and travel about from one of the scattered settlements to another; allowing for bad weather and other detentions made it necessary to consecrate much time to the holy work of enlightening the people as to their duties as citizens. The candidate for congress had to know nearly every "squatter sovereign" in the territory, and win, in so far as possible, his personal approval. All this took time, and so the campaign of '57 dragged on. On July 23, Estabrook published his personal "platform," which appears in the *Times*, and reads much as though it had been written by the editor. He makes a personal appeal for support, but in the next week's paper withdraws from the race. We gather from the invective used by his pet editor—or rather the editor that made a pet of him—that he took this step, believing that he had no chance of success, and that his candidacy might endanger the interests of Omaha. The *Florence Courier* had used headlines to ask the question, "Shall an Omaha man be our delegate?" and the city began to fear that question would be answered in the negative. The *Times* on the day before the election had to content itself with a long exordium to the voters of the territory to appreciate the awful responsibility that rested upon them, and to choose wisely the man who was to receive the high honor of their support, without naming any such person.

Long after the early election had taken place it was uncertain who had won. It was the common practice of each side to reserve one or

* *Times* of either June 11th or 18th, 1857.

two of the backwoods counties that they might doctor the returns therefrom to suit the exigencies of the case. The Nebraska correspondent of the St. Louis *Republican* writes that "the official vote is in from the entire territory with the exception of Pawnee county, to which Gov. Izard has dispatched two messengers, whether for the purpose of getting the returns, or with a commission to smell out illegalities and frauds, as his organ, the *Nebraska City News*, proclaims, or to manufacture votes, as a great many believe, is a matter of doubt." *

The official count gave the election to Ferguson. But as a matter of course Chapman made preparations to contest, and it is with some returning pride in our American institutions that one is able to state that he not only failed to unseat Ferguson, but that he did not even get paid, as previous contestants had done, for waging a useless contest, and wasting the time of congress. Before he got through with the affair he also was accused of having sold himself to the powers of darkness in the shape of "Giddings, Greeley, Douglas (Frederic), Forney, etc." †

As appropriately following the fall elections of 1857, the *Omaha City Times* proceeded to publish an obituary notice of the republican party. After saying that it is customary to speak well of the dead, whether they deserve it or not, the editor implies the inference that, like the immortal G. W., he cannot lie, and is therefore constrained to break away from precedent. "Let that remain for some more deluded genius who claims to have been its friend and supporter. Let Giddings or his political compeer, Fred Douglas, bid their own adieus and sing their own requiems over the political abortion of their own paternity. In other words, 'let the dead bury the dead.' On all the issues they have raised they have been defeated, the outcry concerning the repeal of the Missouri compromise has howled itself into silence, the ravings about the Dred Scott decision have long since died away and are now only known as a matter of history, with much more to the same purpose.‡ Verily "pride goeth before destruction, and a haughty spirit before a fall."

In the next campaign the republican party was an organized body backing Daily for the position of delegate. His opponent was Gen. Estabrook. The personal element was still present in the political

* Reprinted in *Omaha Times*, Oct. 1, 1857.

† *Times*, Oct. 14, '58.

‡ *Times*, Nov. 25, '57.

work, as it always must be, and the sectional feeling was also present, as in this state it always has been. Daily was a man with warm friends, and many of them, though democrats, braved the stigma of being called republicans in order to support him. Besides this he was a South Platte man, and this prejudiced that section in his favor, while shrewd diplomacy kept the northern counties from breaking with him.

There is one story of these early stumping expeditions which says that Daily used to take with him a gigantic friend by the name of Green, whose duty was to cow the roughs that might be inclined to interrupt the meetings, while Daily was then at liberty to take his hands from his pistol handles and be free to use them in the persuasive gesticulations fitting the occasion. The first campaign concluded with the official returns in favor of the democratic candidate, Gen. Estabrook. Congress was democratic, and in the opinion of Daily's friends it was useless to contest the seat. But as a matter of course there were the usual western counties with no inhabitants and big returns, all in favor of one man, in this case the democratic candidate. Daily was a fighter by nature and had become more so by practice, and prepared to wage a contest on his own account, whether his friends thought it wise or not. The evidence submitted to the committee on privileges and elections made a good sized octavo volume, and so complete was his exposition that the committee were practically unanimous in recommending that he be given the seat. Time had dragged on till the republican convention had met at Chicago, and the debate on the adoption of the report of the committee was long and turned in a measure upon national issues. When the vote was finally taken that ousted Estabrook, that gentleman arose and made his final speech in the congress of the United States as follows:

"Mr. Speaker, I thank the house for making me a sacrifice to the gods of the Chicago convention."*

One fight followed speedily upon the heels of another. Hardly was the contest settled before Daily was compelled to begin a new canvass in the territory. The *Nebraska City News*, a rabidly democratic sheet, casting about for something to hurt Daily with, could find nothing more effective than such a paragraph as this:

"There is a well authenticated rumor abroad that Daily has secured

* Cong. Rec.

the support of many of the electors of Omaha city upon a written pledge to devote himself in congress to their interests, to the sacrifice and exclusion of other portions of the territory. He is known to have made the remark that 'South Platte has sold me out and can have no favors to ask, and damn me if I have any to give them.'" His opponent this second time was the wily and versatile Morton. The result was, as usual, disputed. Gov. Black issued the certificate of election to Morton. But about this time the war was beginning, and Black, though a democrat, was a patriot, and prepared to go to his home in Pennsylvania and enlist. Daily visited him at Nebraska City a short time before his departure. The differences between a republican and a war democrat were so few that it was hardly strange that they became very friendly. Daily was always an admirer of good horses and conveyances and bought Black's horse and carriage. It is not known how much he paid, but it is understood that it was enough to satisfy the retiring governor. So Daily drove back to his home near Peru inside the new carriage, and inside his pocket was another certificate of election, signed by Gov. Black and revoking the one that had been given to Morton. The latter knew nothing of the transaction, and Daily had all the papers from his side made out and sent in as though he were an ordinary contestant, relying wholly on the justice of his cause to set aside interfering technicalities. But he took the precaution of hieing to Washington a few days ahead of Morton, presented his certificate of election, secured his seat, and left Morton to appear in the unexpected rôle of a contestant. The much mentioned "versatility" of the latter was put to a severe test. He got his papers ready, however, as soon as possible and began the battle. In the meantime ex-Gov. Black had been killed at the head of his regiment. Congress was no longer overwhelmingly democratic. When it came to look at these two certificates of election, it naturally inquired, "What kind of a man was this Black, anyhow, who seems to have done such very contradictory things?" Dunn, of Indiana, made answer that he was a man who had resigned a lucrative place under the corrupt administration of James Buchanan to go and give his life for an imperiled country, and this fact, eloquently sprung upon the house, made them conclude to accept Black's decision of the question, which was accordingly done.*

* Pers. Recol. and Cong. Rec.

The first election, so conducted that no one thought it worth while to contest, was between Daily and Judge Kinney. Daily's hardest work at this time had been to secure the republican nomination, as he was only selected as the party candidate on the forty-seventh ballot. In this campaign there was a good deal of joint discussion. Perhaps the bitter contest in the convention had weakened Daily. At least O. P. Mason was among those who worked and spoke against him, but keen observers noticed that Mason's speeches did not hurt Daily much, and it was shrewdly suspected that he did not intend they should. The majority for Daily when the returns were all in was only one hundred and thirty-six,* but things had been so closely watched that Kinney saw no use of contesting. Through the whole campaign it had been urged against him that he was holding a place under the government in the territory of Utah, and the republican papers and speakers always referred to him as "Chief Justice Kinney of Utah," and insisted that government was paying him six dollars per day for supposed services in Utah, while he was campaigning in Nebraska. After the election his conduct went far to prove that he was a typical carpet-bagger, for he flitted off to one of the other territories and soon got returned to Washington as delegate from there. While on his way west to begin this second campaign, he stopped one night with Daily and had a long and friendly talk about the struggle just closed. "Well, Sam," he said at last, "that campaign cost me four thousand dollars, and I believe if I had spent another thousand I should have downed you." Then he added, after a thoughtful silence, clinching his fist as he spoke, "and I'd have spent it too, but" (regretfully) "I thought I had spent enough."†

It is not the intention to draw much material for these sketches from this side the fifties, but having passed that limit it may do no harm to give just one glimpse of politics during the war. This purpose will be sufficiently well answered by reproducing a few extracts from a speech of J. Sterling Morton, delivered May 9, 1863, before the Council Bluffs Democratic Club, and afterwards published in the *Nebraska City News*.‡ The extracts are of interest mainly as examples of how mountains of rhetoric and ostensible logic may get melted down by the tumbling seas of political commotion like so many

* Files of Omaha *Republican* have been used for this campaign.

† Pers. Recol.

‡ I copy from a chance preserved copy of the *News*, kindly given me by Mrs. Samuel G. Daily.

Ararats of loaf sugar. The speaker began by telling how bewildered a common rustic is when he first enters Barnum's museum, and then added: "So an unpractised speaker who attempts to-day the investigation of the politics of the present administration, and endeavors to collect and put upon exhibition some of the political monstrosities of abolition, is at once lost and dumbfounded amidst the magnificence of the imbecility and the grandeur of the knavery which has filled that great curiosity shop of corruption at Washington City, over which Mr. A. Lincoln—inimitable anecdoter of Illinois—presides with a mirth and merriment as potent for side splitting as his arm and axe were once for rail splitting, or his present conduct of public affairs is for union splitting." He goes on to show how the black republicans had contrived to force the south into rebellion and to "draw from them the first fire," how the abolitionists had brought it all about to obtain their own nefarious ends, and how the president, yielding at last to pressure, had "advised emancipation as the wonderful patent abolition panacea for a sick nation." After detailing the results of this policy, he asks:

"Do we desire to investigate still further in the African business? Has it not declared a dividend? Go over the battle field, look down through the green sod into the hastily filled graves of good and brave men. These grinning skulls, these meatless limbs, these slimy worms that revel in forms once animate and strong as yours or mine—forms whose images are photographed upon the heart tablets of weeping widows, mourning mothers, and dimly shadowed in the souls of the fatherless. Is not this its dividend? Its full fruition? Abolition has paid fat contractors; has paid the brother-in-law of the secretary of the navy (for buying old hulks to sink in Charleston harbor) \$65,000 in five months—more than has been appropriated to all the territories in the last year. Abolition has paid Beecher, paid Greeley, paid Phillips, paid Garrison, paid those transcendental and loose jointed intellects that shed a sickly light through solemn rolling eyes upon the cadaverous branbread faces and crazed heads that sometimes surmount a white cravat and other garb of solemn mien, and impiously call themselves preachers of Christ and Him crucified. Such men, such things it has paid."

And after some eight columns of similar eloquence he nears his conclusion thus: "As the voice of God called unto Abraham of old, say-

ing unto him: 'Abraham, take now thy son, thine only son Isaac, whom thou lovest, and get thee into the land Moriah, and offer him there for a burnt offering,' so during the fall elections in the great states of Illinois, Ohio, Indiana, and New York, a voice—*vox populi vox Dei*—like the sound of many waters, has cried unto our Abraham, saying: 'Take now thy well beloved friend and brother Abolition, and get thee into the boundaries of the constitution of thy fathers, and offer him there for a peace offering.' But in vain! Abraham of this generation is stiff-necked and heedeth not the reprimanding voice of a displeased people. He and his party proceed, emancipating and to emancipate, and if to-night God in His infinite merey and goodness should call the weary spirit of every black slave in all this broad land to come up higher, to pass from earth and to float triumphant up through the stars and the shining worlds to heaven, Lincoln and his nigger-crazed counsellors would awake to-morrow and weep bitter tears because there would be no more niggers to free, to feed, to clothe, and to tax us for."

From the intensity of such sentiments we may judge of the white heat of enthusiasm in which those persons labored who opposed and triumphed over them. Long afterwards, when the war was over and nothing was left but the reconstruction quarrel between Andy Johnson and congress, enough of the ante-rebellion hatred was left to lead an aged minister to make a most unusual prayer. It was in the old sandstone "seminary," in the town of Lancaster—the geographical predecessor of Lincoln—at a meeting of the Protestant Methodist conference. Perhaps he was one of those that Morton would have described as having "solemn rolling eyes and a crazed head," but though old, his appearance was certainly not cadaverous. The struggle between Johnson and congress was at its bitterest. As the minister in the course of his long prayer besought divine guidance for the various classes of public officials, he warmed to his work. He prayed for all the various ranks of functionaries that they might be wise, and courageous and faithful. When he came to congress, he ventured to ask that they might have "faces like anvils, to bear any amount of hammering." At last he said after a pause—"And our president (long pause)—Oh Lord (minor pause) we don't wish him any harm. But be pleased to grant him a very short life and a happy death; and as long as grass grows and water runs, deliver us from such another."*

* Pers. Recol.

V.—PIONEER JOURNALISM.

The first editorial ever written for an Omaha paper was as follows:*

"Well, strangers, friends, patrons, and the good people generally, wherever in the wide world your lot may be cast, and in whatever clime this *Arrow* may reach you, here we are upon Nebraska soil, seated upon the stump of an ancient oak, which serves for an editorial chair, and the top of our badly abused beaver for a table, we purpose editing a leader for the Omaha *Arrow*.

"An elevated tableland surrounds us; the majestic Missouri, just off on our left, goes sweeping its muddy course adown towards the Mexican gulf, whilst the background of the pleasing picture is filled up with Iowa's loveliest, richest scenery. Away upon our left, spreading far away in the distance, lies one of the loveliest sections of Nebraska. Yon rich, rolling, widespread and beautiful prairie, dotted with timber, looks lovely enough just now, as heaven's free sunlight touches off in beauty the lights and shades, to be literally entitled the Eden land of the world, and inspire us with flights of fancy upon this antiquated beaver, but it won't pay. There sticks our axe in the trunk of an old oak, whose branches have for years been fanned by the breezes that constantly sweep from over the oft-times flower dotted prairie lea, and from which we purpose making a log for our cabin claim.

"Yonder come two stalwart sons of the forest, bedecked in their native finery. They approach, and stand before us in our sanctum. The dancing feathers which adorn their heads once decked the gaudy plumage of the mountain eagle. The shades of the rainbow appear on their faces. They extend the hand of friendship with an emphatic "cuggy how" (how are you, friend), and knowing our business, request us by signs and gesticulations to write in the *Arrow* to the Great Father that the Omahas want what he has promised them, and they ask us also to write no bad about them. We promise compliance whilst they watch the progress of our pencil back and forth over the paper. But let us proceed. What shall we say? But little.

"The *Arrow's* target will be the general interest and welfare of this highly favored, new and beautiful territory upon which we have now

* Omaha *Arrow*, Vol. 1, No. 1, which appeared July 28, 1846. Part of it was reprinted by Sorenson, Early Hist. Omaha, pp. 45-6.

for the first established a regular weekly paper. Our caste is decidedly 'Young American' in spirit and politics. We are in favor of anything that runs by steam or electricity, and the unflinching advocates of the 'sovereigns of the soil.'

"The pioneering squatter and the uncivilized red man are our constituents and neighbors. The wolves and deers are our travelling companions, and the wild birds and prairie winds our musicians,—more highly appreciated than all the carefully prepared concerts of earth. Surrounded by associations, circumstances and scenes like these, what do you expect from us, anxious reader? Do not be disappointed if you do not always get that which is intelligible and polished from our pens (we mean those of the east and south, the pioneers understand our dialect). Take, therefore, what you get with a kindly heart and no grumbling. In the support of the national democratic party, the advocacy of the Pacific railroad upon the only feasible route—the Platte valley—the progress of Nebraska and the interest of the people among whom we live, always count the *Arrow* flying, hitting, and cutting. We shoulder our axe and bid you adieu until next week."

J. W. Pattison, the author of this almost amateurish salutatory, was the editor of the *Arrow* during its short existence of twelve weeks, when it was conducted in a manner which attracted considerable attention from eastern papers and subscribers. This was in reality the main object of the enterprise. If any one should happen to wonder how a newspaper man who had no better editorial tripod than a stump could have much of a printing establishment, it must be confessed that this paper, ostensibly a Nebraska enterprise, was really printed in Council Bluffs. However, it was run in the interest of Nebraska settlers, either present or prospective, and was already cultivating a contempt for its place of origin, the Bluffs—this alone would mark it as being indubitably Omahogish in nature. J. E. Johnson, who was joined with Pattison in the undertaking and was the business manager of the affair, was a Mormon and had three or four wives. Being so well supplied in this regard, it was but natural that he should also have a large number of callings by which to earn a living for himself and them. Besides managing the business part of the *Arrow* he also practiced law, ran a blacksmith shop, was an insurance agent, and carried on a general merchandising business. Perhaps he would now be a shining light in this state in some of these lines,

but his habit of frequent marrying made advisable his departure for Utah in 1856.*

Pattison was an eminently quotable writer, and as he seems to have worked with his eastern readers in his thoughts, his editorials and locals throw much more light upon the early times than those of the later newspaper men. For instance, one of the editorials in the first number was headed "A Night in Our Sanctum," and was as follows:

"Last night we slept in our sanctum—the starry-decked heaven for a ceiling and mother earth for a flooring. It was a glorious night and we were tired from the day's exertions. Far away on different portions of the prairie glimmered the camp fires of our neighbors, the Pawnees, Omahas, or that noble and too often unappreciated class of our own people known as pioneers or squatters. We gathered around our little camp fire, talked of times of the past, of the pleasing present, and of the glorious future which the march of civilization would open in the land whereon we sat. The new moon was just sinking behind the distant prairie roll, but slightly dispelling the darkness which crept over our loved and cherished Nebraska land. We thought of the distant friends and loved ones, who, stretched upon beds of downy ease, little appreciated the unalloyed pleasure, the heaven-blessed comfort that dwelt with us in this far-off land. No busy hum of the bustling world served to distract our thoughts. Behind us was spread our buffalo robe in an old Indian trail, which was to serve as our bed and bedding. The cool night wind swept in cooling breezes around us, deep laden with the perfume of thousand-hued and varied flowers. Far away upon our lea came the occasional howl of the prairie wolves. Talk of comfort—there was more of it in one hour of our sanctum camp life, and of camp life generally upon Nebraska soil, than in a whole life of fashionable, pampered world in the settlements, and individually we would not have exchanged our sanctum for any of those of our brethren of the press who boast of its neatness and beauty of artificial adornment.

"The night stole on, and we in the most comfortable manner in the world—and editors have a faculty of making themselves comfortable together—crept between art and nature, our blanket and buffalo, to sleep, and perchance to dream, of battles, sieges, fortunes, and perils,

* See Early Hist. Omaha, chap. vii.

the imminent breach. To dreamland we went. The busy hum of business from factories and the varied branches of mechanism from Omaha city reached our ears. The incessant rattle of innumerable drays over the paved streets, the steady tramp of ten thousand of an animated, enterprising population, the hoarse orders fast issuing from the crowd of steamers upon the levee, loaded with the rich products of the state of Nebraska, and unloading the fruits, spices and products of other climes and soils greeted our ears. Far away from toward the setting sun came telegraphic dispatches of improvements, progress, and moral advancement upon the Pacific coast. Cars full freighted with teas, silks, etc., were arriving from thence and passing across the stationary channel of the Missouri river with lightning speed, hurry-on to the Atlantic seaboard. The third express train on the Council Bluffs and Galveston railroad came thundering close by us with a shrill whistle that brought us to our feet knife in hand. We rubbed our eyes, looked into the darkness beyond to see the flying train. They had vanished, and the shrill second neigh of our lariat-ed horses gave indication of the danger near. The hum of business in and around the city had also vanished, and the same rude camp fires were before us. We slept again, and daylight stole upon us refreshed and ready for another day's labor."

At the risk of turning this sketch of early journalism into a series of extracts from the *Arrow*, we venture to quote still further from the file of that paper now treasured by Mr. Byron Reed, of Omaha. The file is complete with the exception of the sixth number, is probably the only one in existence, and was secured by him at a cost of thirty dollars, or something more than two dollars and a half per number. On the first issue we find this surprising item: "As many of our foreign friends will be unable to pronounce the word Omaha, we will from our Indian dictionary assist them. The proper pronunciation is 'O-maw-haw,' accenting the middle syllable." There is also a notice that Omaha has just been surveyed by A. D. Jones, and that the colored maps and plates, without which no "city" could in those days achieve greatness, were in course of preparation. Later on the editor of the *Arrow* felicitates himself on the receipt, "clear out here in the wilds of Nebraska," of a copy of *Godey's Lady's Book*, which one would suppose that his partner, Johnson, might have had more use for. An extended trip up the Platte with a company of land

hunters supplied him with material for an interesting series of sketches entitled "Journeyings and Jottings in Nebraska." In the second number we find an account of a visit from Mr. Reed, of the Bellevue semi-monthly *Palladium*. The accounts which the two editors prepared of their trip together over the site of the alleged city of Omaha differ widely, one being written by a man whose business it was to boom that town, and the other by one whose business it was to boom a rival place. On the 3d of November the *Arrow* published five columns of very flattering notices of itself clipped from other papers, and only survived this ebullition of egotism one week.

Its place at Omaha was taken by the *Nebraskian*, which was started late in the year 1854, for the purpose of getting Bird B. Chapin to congress, and succeeded to perfection. This paper, from which frequent quotations have been made in the previous articles of this series, continued to lead a vigorous and belligerent existence, fighting with valor and bitterness the battles of its owners, of Omaha, and of the North Platte wing of the unterrified democracy, till in 1865 it subsided to make room for the Omaha *Herald*. Like most of the early papers its rhetoric was often more forcible than correct, and sometimes more startling than either, as when, in speaking of the character of Izard, who had just retired from the governorship, it said that "as perfection is seldom attained, it would be well to let the mouth of charity descend over his faults."

On June 11, 1857, appeared the first number of the Omaha City *Weekly Times*. The motto of this paper (most of the papers of the day considered it necessary to have a motto—some of them two) was the old couplet,

"Pledged but to truth, to liberty and law,
No favor sways us, and no fear shall awe."

It observed, rather obscurely, in its salutatory, that "Public opinion is the mark of this modern civilization. The public opinion of Rome was once the thought of Cicero. The public opinion of Europe was once the will of Charlemagne. As the great engine of power is the mark of our modern civilization it has made for itself its own instructor—an instructor also and equally a peculiarity of our age—this is the *Press*."

In 1857 was published a prospectus of the Omaha Daily *Times*, which was to begin as soon as there was sufficient advertising patronage secured to warrant the outlay of publishing an evening paper, but

nothing came of it, and in 1859 the *Times* was merged into the *Nebraskian*.

"Westward the star of empire takes its way," was the appropriate motto of the first daily ever published in the state. Henry Z. Curtis was the manager of the Omaha Daily *Telegraph*, which began to be issued on the 11th of December, 1860. The editor had a talent for quoting and misquoting Shakespeare. The paper circulated both in Omaha and Council Bluffs, but the patronage was not sufficiently large to keep it up. At the end of six months it was reduced in size so that it could be printed on a hand-press, and soon after ceased altogether.

To aid the republican party, which had just begun to struggle into existence in this territory, the Omaha *Republican* was established in 1858, a paper that has since had a continuous and most prosperous career. As the war drew on it adopted for its motto, "Liberty and union, now and forever, one and inseparable," and fought it through on that line.

Turning from Omaha we find various papers in the different river towns. The earliest was probably the Bellevue *Palladium*, already mentioned. At Brownville, on the 7th of June, 1856, appeared the first number of the Nebraska *Advertiser*, "an independent newspaper, devoted to matters of general interest to the community at large." Robert W. Furnas was the editor, and thus strikes into the high heroics in his salutatory: "At the call of duty we bestir ourself, and at the expense of our own peace and happiness tread the path she lays out for us—tread it though paved with thorns and sown thick with perils." In enumerating the classes he wishes to serve, the editor says the paper is to be "for the ladies a mirror, from which may be reflected their numberless virtues and winning graces." The cause of the insertion of this gallant passage may perhaps be that a company of young people had gathered at the printing office just before the stock and press arrived, and had dedicated it with a most enjoyable dance. After awhile the *Advertiser* seemed to become dissatisfied with the objects it had been aiming at, and became a paper "devoted to art, science, agriculture, commerce, news, politics, general intelligence, and the interests of Nebraska." This was surely a comprehensive programme for a weekly paper of those early days, even though it did claim, but without entire justice, to be the largest paper above St. Joe. In politics it was strictly non-partisan the first year, but while Furnas was absent

as a member of the territorial assembly the "sub" who managed things in his absence felt the restraint sorely. "We are trammelled by neutrality. We deprecate, we despise neutrality, but contrary to our feelings the path already marked out must be followed. We can say this much—which, by the way, is consoling—if the editor lingers at Omaha one hour beyond his time, up goes our banner at the masthead with some kind of principles inscribed thereon." To prevent such a catastrophe in the future, Furnas, at the beginning of the second year, announced the *Advertiser* as a democratic sheet, and it proceeded to read the slavery question out of politics, to hurrah for Douglas, to complain of Daily's fanaticism in trying to organize the republican party, and to conduct itself in other regards after its kind. One thing to be noticed about this paper from the start was the attention paid to agriculture. Though a department was given up to poetry, and another to "select tales," and such like matters, that now fill the "patent" portions of the country press, yet the farm department was well taken care of. It was announced at the head of the editorial columns that the editor had "a fine lot of upland cranberry plants for sale." The paper published the entire premium list of the first Nebraska territorial fair, to be held at Nebraska City, September 21-3, '59, and in many ways the future successful secretary of the state board of agriculture prophesied of himself by his method of conducting the paper; while on the first of October, 1859, he began the publication of a monthly called the *Nebraska Farmer*.

The *Florence Courier*, John M. Mentzer editor, had much to say on sectional topics, and with an eye to the future terminus of the transcontinental railroad chose for its motto: "We would rather be in the right place on rock bottom, than have the capital of the territory." The people of Florence found before they were through with it that another kind of "rocks" than those at the bottom of a river might have influence in directing the course of a railroad line.

It had been the intention to speak of some of the other territorial papers—of the Plattsburgh *Jeffersonian*, of which Marquett was editor for a time, of the DeSoto *Pilot*, of that rabid democratic sheet, the *Nebraska City News*, and other journalistic enterprises of the fifties. But enough has been said to indicate the nature of territorial journalism. It did a great work in the development of the territory; it was rough and pugnacious, but withal manly and efficient. Nothing is

more to be regretted in regard to our early historical records than the very general destruction of the old newspaper files. A couple of defective volumes at the state library, a complete file of the *Advertiser* in the possession of ex-Gov. Furnas, carefully preserved files of several papers in the possession of Byron Reed, and a few scattered volumes being kicked about the lumber rooms of the older newspapers, seem to be almost the extent of such records yet in existence, though some of the old settlers have preserved still others.

The State Historical society could very profitably undertake the work of cataloguing these newspaper files, the recording of the names of the owners, and the places of deposit.

THE CAPITAL QUESTION IN NEBRASKA, AND THE LOCATION OF THE SEAT OF GOVERN- MENT AT LINCOLN.

BY HON. C. H. GERE.

[Read before the Society, January 12, 1886.]

To found a city is a human ambition older than history. The name of the engineer that set the metes and bounds of the first block and street in Jerusalem, or Athens, or Philadelphia, or Minneapolis, may be obliterated by the tides of time, but his work endures to this day, and the man who would tamper with his records or shift his landmarks, is a miscreant by the unanimous voice of the nations. But there are other ambitions almost as exigent. Other than dreams of immortality nerve many a pioneer to make the fight for his rival site for the seat of government of a state, or of a county, or for a railroad station. It is a dream of corner lots, of speculation, of bonds and mortgages, and deeds and commissions, and sudden wealth.

The transformation of a rough pebble to a diamond, of a fragment of dirty looking carbonate, trodden under foot by a hundred prospectors, to a button of shining metal, are realizations of the fairy tales of childhood, no more seductive to the bearded son of the child, than the transformation of a square mile of wilderness, for the present dear enough at the cost of measuring it with compass and chain, by the breath of a law or an ordinance into a realm worth a prince's portion.

Upon the area of a new commonwealth, therefore, are waged incessant contests. The larger armies fight for capital sites, lesser powers war for county seats, and finally small squads here and there struggle over the location of a post-office or a sawmill, and wounds are given and received, and graveyards filled with the politically slaughtered on the field or in the skirmish line, with as much recklessness as though the fate of administrations and the control of empires depended upon the issue.

The first governor of the territory of Nebraska was clothed with imperial powers by the organic act and the appointment of the president in the matter of setting up his official residence. Empowered to select the spot for the political center of his virgin domain, he wielded for a time, in the minds of his fellow citizens, the thunderbolt of Jove, and guided the coursers of Apollo. But hardly had he arrived in October, 1854, at the old mission house at Bellevue, the site of the first white occupation of the territory, before he sickened, and in less than a week he was dead. His last hours were troubled by the delegations on hand and forcing their way to his bedside, who came to urge the respective claims of Omaha, or Florence, or Plattsmouth, or Nebraska City for the seat of government. Bellevue considered herself safe, and the words of the dying Burt are often quoted by old citizens to this day as indicating that she would have won the crown, had the governor lived long enough to issue the necessary proclamation.

His secretary of state, now his acting successor, Gov. Cuming, unembarrassed by the past, pledged to no one, because no one had dreamed of his approaching greatness, had an embarrassment of riches in the shape of eligible sites offered him at once. Bellevue had perhaps the first claim, because she had the largest settlement and the greatest prestige. But all along the muddy banks of the Missouri, above and below her, were other cities, mostly on paper, though some had arrived at the dignity of a few scattering log cabins and dug-outs, that wrestled for the supremacy. Most of their inhabitants lived over in Iowa, but the fact that they intended to elect, and did elect, a goodly portion of the coming territorial legislature, was a sufficient excuse for their pleading, and they made the executive ears warm with their arguments.

By what pathways the acting governor was led to pitch the imperial tent upon the plateaux of Omaha it is not our province to inquire.

If the statesmen of Kanesville, later Council Bluffs, had a hand in the matter, that city soon had reason to mourn that the nest of the new commonwealth was lined with plúmage from her own breast. From its very cradle, her infant despoiled her of her commercial prestige, and now scoffs at her maternal ancestor every time she glances across the four miles of dreary bottom that separates the waxing from the waning metropolis.

For the time being Omaha was the capital, and the first legislature, with ample power to endorse or cancel the governor's location, was the next object of the executive attention, and it was his chiefest care to fortify and defend Omaha. A pretended enumeration of the inhabitants of the territory was made in November, 1854, upon which the governor proceeded to base the representation of the members of the territorial council and house of representatives. Four counties were constructed north of the Platte, named Burt, Douglas, Washington, and Dodge. Four were assigned to the South Platte—Cass, Pierce, Forney, and Richardson. Douglas county extended to the Platte, embracing what is now Sarpy and Pierce, and Forney stood for what are now the counties of Otoe and Nemaha.

To the counties north of the Platte were apportioned seven councilmen and fourteen representatives, and to the southern counties were given six councilmen and twelve representatives. The enumeration made next year showed that the four northern counties contained 2,065 inhabitants, and the four counties south of the Platte contained 2,944. Here was the beginning of the trouble, the inequitable apportionment of the legislative representation, by which the section of the state known thenceforth as the "South Platte" country, was arbitrarily placed in the minority in each branch of the legislature, though greatly preponderating in population and wealth.

It is a matter of tradition that there was no definite eastern boundary of the territory during that first legislative election. The candidates were often residents of Iowa, who had claims on the other side of the great river, whose name as well as birthright had been stolen by a lesser affluent of the Mississippi to the eastward, and were voted for in Pottawatomie, and Mills, and Fremont, as well as in Washington, Douglas, and Cass. Sometimes the electors would form a camp for polling purposes on Nebraska soil, but where this was inconvenient it is rumored that they transacted the necessary business without leaving

their Iowa homes, and merely dated their papers from the new commonwealth.

The governor's location was not disputed by that body, or the next. But when the third annual session of the territorial legislature opened in 1857 the trouble began immediately. The council still numbered seven from the north and six from the south, while the house had been increased to thirty-one members, sixteen from the north, and fifteen from the south. Douglas county absorbed twelve of the sixteen North Platte members. But her delegation was divided against itself. The memory of the lost chances that had stricken Bellevue with dry rot and had blighted the budding hopes of the Florentines, rankled in the bosoms of two representatives, one of whom hailed from the southern, and the other from the northern, extremity of the county. Youthful politicians wear out their hearts with the vain imagining that "to get even" is the chiefest end of statesmanship, and these united with the chafed warriors of the south in a raid on Omaha.

A bill was passed early in the session by both houses locating the seat of government "in the town of Douglas, in the county of Lancaster." It was a curious prophecy of the event ten years later. Stephen A. Douglas was then the rising star of the party that had been dominant for thirty-two out of the forty years last past. He was the idol of the democracy of the north, and was exhausting the resources of an acute and fertile intellect in plans for conciliating his southern brethren without losing his hold upon the affections of the north. He was certain to be a candidate for president, and if the party was united was certain of election. Three years later he and his cunningly devised statesmanship were swept away, his old townsman and hitherto almost unknown competitor, had supplanted him as the great popular leader, and ten years later gave the name to the capital of Nebraska.

Governor Izard, who had in the meantime relieved acting Governor Cuming of the burden of executive honors, promptly vetoed the bill. He explained in his message that it was a sudden movement of the enemies of Omaha, that the question had not been agitated by the people, that the alleged town of Douglas, in the county of Lancaster, was a mere figment of the legislative imagination, invented for the occasion and that its actual location in the county named was problematical, being as yet the football of factions within the faction that had passed the removal bill.

A year later, at a meeting of the fourth legislative assembly, the quarrel broke out afresh. Governor Izard had resigned, and Richardson, his successor, had not arrived, and Secretary Cumming was again in the chair. Nine days prior to the expiration of the session, on the 7th of January, a bill was introduced for the removal of the capital to Florence. The various tactical obstructions in the reach of the minority, engineered by such rising young statesmen as Dr. Geo. L. Miller, president of the council, and A. J. Poppleton and J. Sterling Morton in the house, made it impossible to accomplish the object without strategy. The strategy resorted to was simple, but startling. On the morning of the 8th Mr. Donelan of Cass placidly rose in his place and moved "that we do now adjourn to meet at Florence to-morrow morning at the usual hour." Speaker Decker, who was one of the removers, put the question from the chair, as though it was the most natural thing in the world to meet at Florence to-morrow morning; and the motion prevailed, and the speaker and all but thirteen members of the house picked up their hats and left the chamber. The thirteen held the fort, elected Morton speaker *pro tem.*, and gallantly effected an adjournment to meet again on the morrow at the old stand.

A similar scene was transpiring in the council. Dr. Miller, in the chair, refused to put the motion to adjourn to Florence, and it was put by Reeves of Otoe, declared carried, and eight councilmen stalked out into the cold world and prepared themselves for an eternal exodus to the village up the river. As to this emigration Douglas county was again divided against herself. Bowen and Allen, the one representing Florence, and the other standing for that cruel Juno, Bellevue, whose lofty mind still revolved vengeance for the judgment of Paris and her injured beauty, were the leaders in the race, and behind the twain marched Bradford and Reeves of Otoe, Kirkpatrick of Cass, Safford of Dodge, and Furnas of Nemaha.

Governor Richardson arrived about this time, to find two capitals and two legislatures in full blast, and himself the unwilling arbitrator of the war. He promptly refused to recognize the Florence legislature, though it had the majority in both houses. The forty days limit of the session broke up both bodies, and they each adjourned, leaving the business of the session undone, and the territory without a code of criminal law, and thus ended the first and last attempt recorded in history to attach the removal of a seat of government to a motion to adjourn until to-morrow morning.

The consequence was an extra session not long after, in 1859, at which much business was done, and in which Mr. Daily of Nemaha introduced a bill to abolish slavery in the territory, but during which the capital agitation slumbered and slept.

Then there was an interregnum. The civil war quenched sectional bickerings, and the ambitions of leaders had objects more alluring than the founding of cities. But the war came to an end, and when the last territorial legislature of 1867 met, the old question of unfair apportionment came to the front again. The population of the South Platte section had increased until it was about double that of the counties north of the troublesome stream. But the superior tactics of the Douglas county leaders held down its representation to such an extent that it had but seven of the thirteen councilmen, and twenty-one of the thirty-seven representatives. Two threads of policy had intertwined to make the resistance to a re-appointment, based upon actual population, sufficiently strong to overcome the justice supposed to be latent in the minds of statesmen.

The first was the fear entertained by Douglas county of the re-opening of the capital agitation. The North Platte was now about a unit in favor of Omaha, as against a southern competitor. The second was a political consideration. A re-apportionment meant a cutting down of the representation from Otoe as well as Douglas counties, both democratic strongholds. These counties, with the assistance of some lesser constituencies in the north of the Platte, which sent democratic delegations, were able to hold a very even balance in the legislature against the republicans, though the latter had an unquestionable majority in the territory. Now that statehood was imminent, and there were two United States senators to be elected by a state legislature soon to be called, in case President Johnson should succeed in his plan of defeating our admission under the enabling act of 1864, it was of immense importance to stave off a re-apportionment.

Hence for capital reasons the republicans from the North Platte, and the democrats from the South Platte, worked in harmony with Douglas county members in preserving a basis of representation in its original injustice. The usual bill for a new apportionment had been introduced and passed the senate, and came to the house, but the four votes from Otoe county being solid against it, it was sleeping the sleep of the just. In the speaker's chair was Wm. F. Chapin of Cass, an ex-

pert parliamentarian, cool, determined, watchful, and untiring. The session was drawing to a close, and it was Saturday; the term expired at 12 o'clock, midnight, on the following Monday, and as usual the results of pretty much all the toil and perspiration of the forty days depended upon a ready and rapid dispatch of business during the remaining hours of the session.

There was something sinister in the air. It was whispered about that morning that the re-apportionment bill had at last a majority in case Deweese of Richardson, who was absent on leave, should put in an appearance. A vote or two had been brought over from some of the northern districts, remote from Omaha, and anxious for republican domination. "Fun" was therefore expected. It came very soon after the roll was called in the opening of the session. The credentials of D. M. Rolfe of Otoe, who had not been in attendance during the session, but who was an anti-re-apportionist, were called up, and it was moved that they be reported to a special committee. The ayes and nays were demanded. Pending roll call, it was moved that a call of the house be ordered. The call was ordered, and the doors closed. All the members answered to their names but Deweese of Richardson, and Dorsey of Washington. Then the other side made a motion that further proceedings under the call be dispensed with. The ayes and nays were demanded, and there were seventeen ayes and sixteen nays. Speaker Chapin announced that he voted "no," and that being a tie, the motion was lost. An appeal was taken from the decision of the chair, and the vote resulted in another tie, and the appeal was declared lost. The rule is, that an affirmative proposition cannot be carried by a tie vote, but that all questions are decided in the negative. The usual form of putting the question by the speaker is, "Shall the decision of the chair stand as the judgment of the house?" The negative would be that it should not so stand. But in that case a decision of the chair is reversed by less than a majority of the members voting, which is of course absurd. It was a deadlock. The house still refused to suspend proceedings under the call, and there was no recourse except by revolution. The result was a curious demonstration of the absurdity of manipulating a proposition by the use of misleading formulas so that the negative side of a question may appear to be in the affirmative.

The hours passed, but "No Thoroughfare" was written on the faces

of the re-apportionists. They said that until they had some assurance that a re-apportionment bill would be passed before the adjournment, they would prevent the transaction of any more business. Secretly they expected Deweese, who was rumored to be well enough to attend, and they waited for his appearance. But he did not come. The door-keeper and the sergeant at arms had orders to let no man out, and when noontide passed and the shadows lengthened, the members sent for refreshments and lunched at their desks. The night came. Some of the refreshments had been of a very partisan character, and there was blood on the horizon. Many became hilarious, and the lobby was exceedingly noisy. From hilarity to pugnacity is but a short step. Arms and munitions of war were smuggled in during the evening by the outside friends of both sides, and it was pretty confidently whispered about that the conclusion was to be tried by force of revolvers.

A little after 10 o'clock P.M., Augustus F. Harvey of Otoe rose and moved that Speaker Chapin be deposed, and that Dr. Abbott of Washington be elected to fill the vacancy. He then put the question to a *viva voce* vote, and declared the motion adopted and Dr. Abbott elected speaker of the house. The stalwart form of Mr. Parmelee, the fighting man of the faction, immediately lifted itself from a desk near by, and advanced, with Dr. Abbott, toward the chair, backed up by Harvey and a procession of his friends. As he placed his foot upon the first step of the dais, Speaker Chapin suddenly unlimbered a Colt's navy duly cocked, and warned him briefly to the effect that the Pythagorean proposition that two bodies could not occupy the same space at the same time was a rule of the house, and would be enforced by the combined armament, at the command of the proper presiding officer. Daniel paused upon the brink of fate, and hesitated upon his next step. To hesitate was to be lost. The speaker announced that in accordance with the rules of the house in cases of great disorder, he declared the house adjourned until 9 o'clock Monday morning, and sprang for the door. The Omaha lobby had promised faithfully when the crisis came to guard that door, and permit no rebel from the South Platte to escape. The first man to reach the door was said to be Kelley of Platte, who had joined the forces of the re-apportionists, and it is a tradition that he leaped over the legislative stove to get there on time. The door was burst open, and before the volunteer guard could recover its equilibrium, the seceders had escaped

and were out of the building, scattering to the four quarters of the globe. But they had a rendezvous agreed upon in a secret place, and in a half an hour they were safely entrenched and on guard against any sergeant-at-arms and posse that might be dispatched to return them to durance vile.

The Abbott house immediately organized, admitted Rolfe of Otoe to full membership, and proceeded to clear the docket of accumulated bills. Members of the lobby trooped in and voted the names of the absent, and everything proceeded in a unanimous way that must have astonished the walls of the chamber, if they had ears and memory. About dawn, however, the situation began to lose its roseate hue and an adjournment was had till Monday morning.

Before that time arrived, the hopelessness of the situation dawned on both factions. They perceived that nothing whatever would come of the deadlock. Neither party had a quorum. Deweese of Richardson could not be brought in to cast his vote for re-apportionment, and by common consent a peace was concluded, and Monday was spent in an amicable settlement of the arrearages of routine business.

But this episode created a sensation all over the state, and intensified partisan and sectional feeling. The adjournment took place on the 18th of February, and two days later, on the 20th, the state legislature chosen at the same time, under the enabling act, met at a call of Governor Saunders, to accept or reject the "fundamental condition" insisted on by congress as a condition precedent to the admission of the state. The condition was that the word "white" in the constitution theretofore passed by the legislature, and ratified by the people, should not be construed as debarring from the franchise any citizen of Nebraska, on account of color or race.

The state legislature promptly ratified the "fundamental condition," and declared that white meant in their constitution any color whatever. Ten days later and the president's proclamation had been issued declaring Nebraska a state in the union. The state officers were sworn in immediately after official notice had been given, and Governor Butler began at once to prepare his call for a special session of the legislature to put the machinery of state in motion.

It was insisted upon by the leaders of the republican party in the south and west, that a re-apportionment of members of the legislature should be one of the objects of legislation enumerated in the call. This

was bitterly opposed by many republicans in Douglas and other northern counties. It was also asked, this time by democrats as well as republicans from Otoe, as well as from Cass and Richardson, and the south-western counties, that a clause should be inserted making the location of the seat of government of the state one of the objects of the special session. The Governor was averse to commencing his administration with a capital wrangle, but thought it would be good policy to make use of the suggestion, for the purpose of securing re-apportionment, without a repetition of the bitter struggle of the winter. He therefore opened negotiations with the Douglas county delegation to the coming legislature, and promised them that he would leave out the capital question, provided they would pledge themselves to sustain a re-apportionment. They flatly refused. They claimed that the legislature could not constitutionally re-apportion the representation until after the next census, and as for capital removal, they were not brought up in the woods to be scared by an owl. The Otoe delegation, however, had changed its base. The senators had been elected and seated, and political considerations had lost their force with the democrats in that county. They wanted the capital removed south of the Platte, and they promised if the governor would "put that in" they would march right up and vote for apportionment.

His excellency had gone too far to retreat, and when his call was issued it embraced both capital removal and re-apportionment, having consulted a distinguished constitution constructor, Judge Jamison of Chicago, on the latter point, and obtained an elaborate opinion that it was not only in the power of the legislature, but its bounden duty, under the constitution, to re-apportion the representation at its first session.

The legislature met on the 18th of May, and the lines were quickly drawn for the emergency. Re-apportionment was a fixed fact, and after a few days spent in reconnoitering, a solid majority in both houses seemed likely to agree upon a scheme for capital location. Mr. Harvey, who had led the assault upon re-apportionment at the late session of the territorial legislature, was an active leader of his late antagonists for relocation. Party affiliations were ruptured all along the line, and the new lines were formed on a sectional basis. The bill was prepared with deliberation, much caucusing being required before it would satisfy the various elements in the movement, and it was

introduced in both houses on the 4th of June. It was entitled "An act to provide for the location of the seat of government of the state of Nebraska, and for the erection of public buildings thereat." It named the governor, David Butler, the secretary of state, Thomas P. Kennard, and the auditor, John Gillespie, commissioners, who should select, on or before July 15, a date changed by a supplementary bill to September 1, 1867, from lands belonging to the state lying within the county of Seward, the south half of the counties of Saunders and Butler, and that portion of Lancaster county lying north of the south line of township nine, a suitable site of not less than 640 acres lying in one body, for a town, to have the same surveyed, and named "Lincoln," and declared the same the permanent seat of government of the state.

The bill directed the commissioners, after the site had been surveyed, to offer the lots in each alternate block for sale to the highest bidder after thirty days advertisement, having appraised the same, but that no lots should be sold for less than the appraised value. The first sale should be held for five successive days at Lincoln on the site, after which sale should be opened for the same duration, first at Nebraska City and next at Omaha. If a sufficient number of lots should not by this time be disposed of to defray the expenses of the selection and survey and to erect a building as described in the bill, further sales might be advertised and held in Plattsmouth and Brownville. All moneys derived from these sales, which should be for cash, should be deposited in the state treasury and there held by the treasurer as a state building fund. From the proceeds of these sales the commissioners should proceed to advertise for plans and contracts and cause to be erected a building suitable for executive offices and the accommodation of the two houses of the legislature, that might be a part of a larger building to be completed in the future, the cost of which wing or part of a building should not exceed fifty thousand dollars. The bill passed the senate on the 10th day of June. Those voting for it were Jesse T. Davis of Washington, James E. Doom and Lawson Sheldon of Cass, Oscar Holden of Johnson, Thos. J. Majors of Nemaha, Wm. A. Presson of Richardson, and Mills S. Reeves and W. W. Wardell of Otoc. The noes were Harlan Baird of Dakota, Isaac S. Hascall and J. N. H. Patrick of Douglas, E. H. Rogers of Dodge, and Frank K. Freeman of Lincoln.

The house passed the bill two days later, under suspension of the

rules, forwarding it to its third reading. As in the senate, so in the house, the opponents of the bill resorted to strategy for stampeding the friends of the measure, and offered numerous amendments to locate the capitol or the university or the agricultural college at Nebraska City, or in the boundaries of Cass or Nemaha counties. But all amendments were steadily voted down by a solid phalanx. The gentlemen in the house voting "aye" on its final passage were David M. Anderson, John B. Bennett, Wm. M. Hicklin, Aug. F. Harvey and George W. Sroat of Otoe, J. R. Butler of Pawnee, John Cadman of Lancaster, E. L. Clark of Seward, W. F. Chapin, D. Cole, A. B. Fuller and Isaac Wiles of Cass, Geo. Crowe, Wm. Dailey, Louis Waldter and C. F. Haywood of Nemaha, J. M. Deweese, Gustavus Duerfeldt, T. J. Collins and J. T. Hoile of Richardson, Henry Morton of Dixon, Dean C. Slade and John A. Unthank of Washington, Oliver Townsend of Gage, and George P. Tucker of Johnson—25.

The "noes" were O. W. Baltzley of Dakota, Henry Beebe of Dodge, Geo. N. Crawford and A. W. Trumble of Sarpy, Geo. W. Frost, Joel T. Griffin, Martin Dunham, J. M. Woolworth and Dan S. Parmalee of Douglas, and John A. Wallichs of Platte—10.

It will be observed that several votes were cast for the bill from the northern counties. Tied up with the capitol removal was a bill engineered by the secretary of state, Mr. Kennard, then a resident of Washington county, and Senator Davis, appropriating seventy-five sections of state internal improvement lands for the building of a railroad, now a part of the Fremont, Elkhorn & Missouri Valley line, running from the river near Blair to Fremont. It was then called "The North Nebraska Air Line." Another measure was also attached to these two to make the syndicate solid in Nemaha, the only county that had sent up a remonstrance against the removal of the capital. It was a bill accepting for the state the tender of the Methodist Episcopal seminary at Peru for a state normal school, and donating twenty sections of state lands for the endowment of the same. The three bills and the re-apportionment bill received virtually the same support in both houses and all passed about the same time.

The plans of the capital movers so far had not met with the determined resistance that had been anticipated, although the parliamentarians from Douglas and other counties had exhausted the resources of ordinary tactics at the command of the minority. The fact was that

for several months Omaha had been making such a rapid commercial growth, owing to the extension of the Union Pacific railroad to the frontier and the incoming of the Chicago & Northwestern road from central Iowa to Council Bluffs, that her business men had their hands full. Their ambition had expanded. The capital question was dwarfed by the prospect of becoming in the near future a great commercial metropolis. Real estate was going up like a rocket. Capitalists were crowding in every day, and the faces of the new comers seen on the streets greatly outnumbered the familiar physiognomies of the old settlers of 'fifty-four and 'sixty. What had Omaha to fear even if the utopian scheme of founding a "city fifty miles from anywhere," as they called it, should succeed? It was too far away from the Union Pacific and the Missouri to be of any importance. The lobby was therefore conspicuous for its absence. There was more money to be made in a day in trading lots and securing railroad contracts than in a month of wrestling with the fads of rural legislators. Just at that time, it is due to historical truthfulness to say that Omaha cared little for the questions that were taking up the attention of the law makers at the state house.

The departure of the capital commission to hunt a site for Lincoln was a subject of merriment to the newspapers of the old capital. Not until after much traveling to and fro, looking at the sites through the length and breadth of the territory defined by the act, the commissioners on the 29th of July having issued their order locating Lincoln, in Lancaster county, on and about the site of Lancaster, its county seat, and commenced to survey the same into blocks, lots, reservations, streets and alleys, did the press of Omaha wake to the realities of the situation.

Then there was music in the air. The act provided that within ten days after its passage the commissioners should qualify and give bonds to be approved by a judge of the supreme court. The bonds were to be filed with the state treasurer. Now it had been ascertained that though the commissioners had sent in their bonds to the chief justice, and he had approved them in the stipulated time, they had not been filed with the treasurer inside of the ten days. It was announced, therefore, that they had no authority to do anything under the law, and that if they sold what purported to be lots in the town site of Lincoln, the treasurer, Hon. Augustus Kountze of Omaha, would re-

ceive the money and hold it for future disposition, but he wouldn't pay out any of it as a capitol building fund. At any rate injunction would be applied for to prevent him. The announcement was calculated to discourage those intending to become purchasers of Lincoln lots. It did have a very depressing effect. The commissioners said that to be forewarned was to be forearmed, and as they had determined to avoid litigation and the possible tying up of the money until the meeting of the next legislature, they should keep it in their own hands and pay it out without the intervention of the treasurer. This promise was faithfully kept. The next legislature formally legalized this and other departures from the strict letter of the law made by them in the pursuit of success, but for the time being it was a very serious embarrassment.

The sale of lots opened on the new site in October. The commissioners were on the spot with quite a number of possible purchasers. The auctioneer was a handsome man and had a good voice. There was a band of music in attendance, and it played as well as any band ought to play so far away from civilization. But not a bid could be coaxed from a single soul. The commissioners had decided, upon consideration, that they would not personally invest. It was deemed proper to observe the proprieties very strictly, and to avoid future scandals they would keep out. But this was a matter of suspicion to the crowd present. If the commissioners haven't enough confidence in the new city to purchase a residence or a business lot, why should we venture any investment? Night came on and not a lot had been sold.

A council of war was summoned in the evening in the Donovan House, and the commissioners and certain gentlemen from Nebraska City were in attendance. The Nebraska City capitalists said that the commissioners ought to bid on lots, and the commissioners said that the Nebraska City men who were so much responsible for the scheme ought to bid. Finally it was conceded that both ought to bid. The Nebraska City men formed a syndicate that agreed to bid the appraised value on every lot as it was offered and as much more in case of competition as they thought safe, until they had taken ten thousand dollars worth of lots. But there was a proviso that in case the sales did not amount in five days to twenty-five thousand dollars, including the syndicate's ten thousand, the whole business should be

declared "off," the enterprise abandoned, and no money be paid in. The commissioners also rescinded their compact against becoming personal bidders, for they saw that matters were in a very precarious condition and they had to imbue the people present with some confidence in Lincoln. The next day business began in earnest. When the five days had passed \$44,000 had been realized, and the prospects were considered certain for the erection of a capitol building. By the time the sales at Nebraska City and Omaha had been finished \$53,000 had been taken in, and no supplementary sales at Plattsmouth and Brownville were held, though comparatively few lots had been disposed of, to realize the necessary amount.

Lancaster, the site of which had been swallowed up by Lincoln after the proprietors had deeded it to the state in consideration of the location of the capital, was a hamlet of five dwellings, a part of one being used as a store, and the stone walls of a building commenced as a seminary by the Methodist church, but which had partly burned before completion and had been temporarily abandoned. The residents on the original plat of Lincoln were Captain W. T. Donovan, whose house stood on the corner of Ninth and Q, on the site now occupied by the Peoria House; Jacob Dawson, whose log dwelling was on the south side of O, between Seventh and Eighth, and who had commenced the foundations of a residence on the corner of Tenth and O, where the State National Bank now stands; Milton Langdon, who lived in a small stone house east of Dawson's, between O and P; Luke Laverder, whose log cabin stood in Fourteenth, just south of O, and John McKesson, who was constructing a frame cottage two or three blocks north of the University. Scattered about just outside the city limits as then established, on premises that have since been brought in in the shape of additions, were the residences of Rev. J. M. Young, Wm. Guy, Philip Humerick, E. T. Hudson, E. Warnes, and John Giles. Between the date of the location and the first sale of lots a number of buildings were erected on the site, the owners taking their chances at the sales of securing their titles by purchase. There were two frame stores, one occupied by Pflug Brothers, and another by Rich & Co., a law office by S. B. Gale, a shoe shop by Robert and John Monteith, a stone building, afterwards rented to the *Commonwealth*, the predecessor of the *State Journal*, by Jacob Drum, a hotel called the "Pioneer House," by Col. Donovan. These buildings were located

on or in the vicinity of the public square and fixed the business center of Lincoln.

As soon as the sale was finished the commissioners proceeded to advertise for plans for a capitol building. John Morris was the successful architect, and Joseph Ward secured the contract for its construction on his bid of forty-nine thousand dollars.

The excavation was commenced in November, and by the first of December of the following year, 1868, was sufficiently completed for occupancy, and the governor issued his proclamation transferring the seat of government to Lincoln and for the removal of the state offices and archives to the new building. The first capitol was constructed of sandstone, quarried at various points within Lancaster county, with a facing of magnesian limestone from a quarry near Beatrice. This stone was hauled the forty miles over roads and bridges in part constructed by the contractor.

The considerations that led the commissioners to select Lincoln in preference to the sites offered at Ashland, Milford, Camden, and other points, were, first, the fact that in the several preliminary surveys made from various points on the Missouri river from Plattsmouth down to Falls City, all had this place as a common point: It was the natural railroad center, to all appearances, for the large and irregular parallelogram running west from the Missouri, between the Platte on the north, and the Kansas or Kaw on the south, to the plains of eastern Colorado. The eastern portion of this parallelogram was even then alleged by enthusiastic Nebraskans to be the garden spot of the continent. It has produced the largest average of corn to the acre of any equal and continuous area reported by our census gatherers. At that time, though its capacity for corn was not fully appreciated, it was regarded as a wonderful wheat growing section. It has lost its prestige in spring wheat, but it holds its own in corn, oats, grass and fruit, and is all that the fancy of the fathers of '67 painted it.

The second consideration was the proximity of the great salt basin, in which all the salt springs of the state that gave promise of future importance were located. It was generally believed that the salt manufacture alone would build a stirring city. The third reason was that it was about as far from the Missouri river as it was advisable to go. To take it twenty miles further west would be to remove it from any immediate expectation of rail communication, and so increase the ex-

pense of building that it would be impossible to dispose of the lots or to erect a capitol with the proceeds within the two years, and hence the enterprise would fail. It was furthermore generally believed that the site selected was about midway between the western limit of arable land, and that it would always be the center of population.

The legislature met in January, '69, in the new capitol, approved the acts of the commissioners without very much criticism, provided for the erection of a state university and agricultural college on the site reserved, and for an insane hospital on state lands secured by the commission on Yankee Hill, and ordered the sale of the remaining lots and blocks belonging to the state to furnish the funds for such buildings in connection with certain lands available for the purpose. They also made appropriations amounting to about sixteen thousand dollars for completing the capitol building with a dome, and for defraying the expense of "extras" ordered by the commissioners on the state house to make it comfortable and habitable. Several thousand dollars were used in grading the grounds, fencing the same, planting them with trees, and erecting outbuildings. The total cost of the building, fittings and grounds, is finally stated at \$83,000.

Under the various acts and appropriations of that legislature the sale of lots continued at intervals during '69 and '70. Three hundred and sixteen thousand dollars was the sum realized from these sales, making a sum total of about \$370,000 that the original site of Lincoln brought into the state. It was not a bad investment for young Nebraska, but its success as a real estate speculation was almost wholly due to the energy and pluck of the commissioners, that led them from time to time to overleap technical obstacles and defects in the law, and take desperate political and financial chances as the alternative of the ignominious failure of the schemes. They were applauded and honored in '69 and '70, but a reaction set in in '71 and they met a Nemesis that for a time threatened them not only with disgrace but absolute destruction.

But for three years these men played the star parts on the political stage in the infant state, and they have left a monument to the efficiency of their work, to their business sagacity, and to their political courage, that bids fair to be as enduring as history.

In its first year, Lincoln grew to be a village of about 800 inhabitants. In 1870 the census revealed a population of 2,400. In 1875

it was the second city in the state and numbered 7,300. In 1880 it had 13,000 people, and in 1885 it had reached and passed twenty thousand.

When it was surveyed the nearest railroad connecting with the eastern markets was at Omaha and St. Joseph, Missouri. In 1880 it had eight diverging lines to all points of the compass, and in 1890 it bids fair to have a round dozen spokes to its commercial wheel. In this remarkable progress, she is but an exemplar of her state and her people. A century of improvement in twenty years is the rule in Nebraska, and has been from the day she took her place in the galaxy of the union.

HOW THE KANSAS-NEBRASKA LINE WAS ESTABLISHED.

BY HON. HADLEY D. JOHNSON.

[Read before a meeting of the Society, Tuesday, Jan. 11, 1887.]

When I received a letter from the President of your society, the Honorable Robert W. Furnas, asking me to so time a contemplated visit to Nebraska as to meet you on this occasion, although the visit had only been spoken of as likely to occur, but not positively decided on, my thoughts naturally reverted to the past; and indeed I have proved the saying to be true, at least in my own case, that in youth we are always looking forward to the future, while in old age our thoughts are more intent upon a review of the past. I recalled to mind early days in Nebraska, and many of the incidents occurring in the struggles of her earlier settlers to build up a new state appeared fresh in my memory; there came trooping up before the gaze of my mind's eye the men who were my friends and co-laborers in the work of rescuing this beautiful land from the possession of the wild animals infesting it, and to build upon its broad bosom a commonwealth of which we could feel proud, and one which would add to the material wealth, comfort, and happiness of unborn generations as well as of the people then in existence.

When, as I say, this letter of Governor Furnas was received, I did not hesitate, but at once decided that I would respond to his invitation and meet you on the present occasion and strike hands once more with such of the men of 1853, '4, and '5 whose familiar faces I might once more gaze upon in life. Of course I did not know how many of them I should meet and recognize. I was prepared to meet with many unfamiliar faces, faces of men who had never looked upon, perhaps had never heard of me. I knew that many of my old associates of those early days had crossed the silent river and joined the vast majority in an unknown land; and now as I am here and meet with you, so small a number of whom I recognize, I confess to a feeling of sadness more easily felt than described, and I beg of you to pardon me if I should seem more melancholy than the occasion will justify, for really I think that we all have abundant cause to "rejoice and to be exceeding glad" when contrasting the present condition of Nebraska with the Nebraska of 1854.

When in looking over this assemblage I fail to behold the faces of quite a number of persons who were my colleagues and co-laborers in setting in motion the machinery of this magnificent state, and who I know are no longer numbered with the living, I can readily adopt as my own the following lines written by Dr. Young, a poet of another age:

"When in this vale of years I backward look,
And miss such numbers, numbers, too, of such,
Firmer in health, and greener in their age,
And stricter on their guard, and fitter far,
To play life's subtle game, I scarce believe
I still survive."

In response to the request of your President I am here to beg your kind indulgence while I read the following crude and doubtless not very interesting paper, which has been prepared under many disadvantages, having to depend mainly upon memory for many of the facts here set down; it is quite probable that many which might be interesting to you are omitted, and others of little or no interest inserted.

If the object of the President of your society in asking me to attend this meeting was to draw from me such items concerning the early history of Nebraska as I alone may be in possession of, with the thought and wish that they might be preserved through your so-

ciety for information to the future historian, I certainly ought not to refuse to impart such information. A correct history of Nebraska cannot be written without including a portion of the history of its neighbor, and I may add its mother Iowa, and the future historian of Nebraska will not discharge his duty properly should he fail to give to Iowa and to her citizens proper credit for their endeavors in behalf of the organization of the territory of Nebraska.

The first settlement by white people to any extent in what is now Nebraska, of which I have positive proof, took place in the year 1846. In the latter part of that year a portion of a body of professed religionists, calling themselves "Latter Day Saints," but known to the world as "Mormons," having been expelled from the state of Illinois, took up the line of march westward, and arriving in small companies, numbering in all probably five thousand persons, called a halt and encamped on the Missouri bottom at or near the site of Council Bluffs, were ferried across the Missouri River at or near the trading post of the American Fur Company, managed by Peter A. Sarpy. After crossing the river they proceeded northward, and most of them located at a place called by them "Winter Quarters," now Florence. Several hundred of them, however, went north to the land of the Poncas, where they wintered. Those who located at Winter Quarters spent the winter of 1846-7 there, putting in crops in the spring of 1847. On account of exposure and want of proper food much sickness prevailed among the people while occupying the site of Florence, and great mortality ensued. About this time the Indians who owned the lands occupied by the Mormons, seeing that the latter were killing the game and using up the timber in their vicinity, made complaint to the government, in consequence of which the settlement was abandoned in 1847, a portion of the Mormons proceeding in that year to Salt Lake, while those who did not accompany them recrossed the river and settled on the Pottawatomic lands in Iowa.

I think that it was about the year 1841 that a Mr. Whitney, who was the first person to suggest the practicability of constructing a railroad to the Pacific, commenced the agitation of the subject, and from that time people, especially in the west, kept up the agitation. As you all doubtless remember, there were two lines suggested for the future great national highway. One was opposite to and was favored by the citizens of the state of Missouri, and I think was to follow the

valley of the Kaw river. The other was opposite to the state of Iowa, the route suggested being up the valley of the Platte river. This route was favored by the citizens of Iowa as being not only the best route, but probably of greater interest to that state, as similarly was the lower route to the people of Missouri.

In October, 1850, your reader, a native of Indiana, who had spent most of the earlier years of his life there, and who had read and thought much of the west and of the railroad scheme, decided to "go west," long before advised to do so by Horace Greeley, and, having faith in the ultimate construction of a Pacific railroad, as well as in the Platte route, removed to Iowa, and in 1851 located at Kanessville, now Council Bluffs.

In 1852 I was elected to the Senate of Iowa, and in obedience to the wishes of my constituents attended the session of the legislature of 1852-3 at Iowa City. In going to and returning from that place, in the absence of a public conveyance of any kind, I traveled the entire distance on horseback, going in December and returning in February. At this time there were but few houses on the route traveled between Winterset and the Missouri river, and so far apart that in several instances you would not see a house or a human being from morning until night, such houses being so located as to afford shelter at night for the few travelers who ventured across the prairies during the winter.

Under such circumstances you can readily imagine how much comfort was enjoyed by me in my lonely pilgrimage. If I remember correctly, my senatorial district included about forty counties, extending from Mills county to the Minnesota line, although my constituents did not number more probably than five thousand persons, nearly all of them in the counties bordering on the Missouri river. In the interior counties (being unsettled and unorganized) my vote was very light, inasmuch as prairie wolves were not allowed to vote.

By way of digression, and that the law makers of to-day may compare the past with the present, I will remark that I received, as my per diem and mileage, allowance for my 600 mile horseback ride and 50 days service as a legislator, the insignificant sum of one hundred and sixty dollars, which was paid in gold coin.

It may be remembered by some of this audience, that, at a previous session of the Iowa Legislature, a memorial was adopted, asking con-

gress to donate land to aid in the construction of a railroad from Keokuk to Dubuque. This route was known as the "Ram's Horn," the design being to start at Keokuk, and extending the road out into the interior of the state some thirty or forty miles, to terminate at Dubuque, both ends of the road resting on the Mississippi. Hence the term "Ram's Horn." This plan would accommodate a few populous counties, but would be of comparatively little benefit to the state at large.

One of the first, and to them seemingly one of the most important objects of the men composing the legislature of 1852-3, was to substitute for the "Ram's Horn" a more comprehensive railroad system for the state, and one better adapted to what they regarded as the future wants of a great and growing state, at the same time having in view the final location of the contemplated national highway; and in pursuance of this idea, after a somewhat protracted struggle, we succeeded in adopting a memorial to congress, embracing four distinct lines across the entire state, and asking for appropriations of land to aid in their construction, much to the disgust of a few of the friends of the "Ram's Horn."

I hope that I may be pardoned for what may seem to be egotism on my part, when you are reminded that *three* of the lines proposed were designed to strike my own town, Council Bluffs; but you will please bear in mind that I claim no special credit for the act; on the contrary, hold that it was done partly in view of the expected national railroad, in connection with the popularity of the Platte Valley route, which insured the adoption of the memorial, for I presume it will readily occur to you, that the design of the legislature in asking for this donation was to insure the construction of those several roads to a common point opposite to the Platte Valley, thus, as they reasonably argued, providing for the future initial point of the projected Pacific railroad, which would enable them to make connections with roads in all parts of the country; at all events this was my idea at the time, and although I make the suggestion, I hope, with becoming modesty, I do so with a firm conviction that the scheme was a wise one, not only for the state of Iowa, but for what has since become the state of Nebraska, as I believe that the construction of the lines of road referred to assured the more speedy developement of these states, and probably tended to hasten the construction of the Pacific Railway.

As an item of information, connected with the history of the legislation to which I have referred, I append a list of the members of the senate and of the house of representatives of the Iowa Legislature at the session of 1852-3, that it may be filed with your archives, being as I think entitled to a place in the history of Nebraska. But the brief history just read, of the acts of your neighboring state, does not furnish the only reason why she should be duly remembered by the future historian of Nebraska. As I have said, there were two routes suggested upon one of which the anticipated Pacific railroad should be built; people of the state of Missouri advocating the route up the valley of the Kansas river, while the people of Iowa advocated the Platte river route.

As early as 1848, the subject of the organization of a new territory west of the Missouri river was mentioned, and in congress I think a bill was introduced in that year, but did not become a law, and in 1852 the subject having been long discussed, a bill was introduced, but again without result. In 1852, however, the railroad question having been agitated more generally during the preceding year, during the session of 1852-3, a bill was reported to congress providing for the organization of the Territory of Nebraska, within the boundaries, substantially I believe, now embraced in the states of Kansas and Nebraska. Prior to this, however, some of the citizens of western Missouri, and a few persons residing or staying temporarily in the Indian country west of the Missouri river, took steps to hold an informal election of a delegate who should attend the coming session of congress and urge the passage of the territorial bill. This election, though not sanctioned by any law, and informal, was ordered to be held by a meeting of a number of persons held in the Indian country south of the Platte river, who fixed a day on which the election was to be held, and designated certain places at which votes would be received. Among the places named, appeared Bellevue or Traders' Point. A newspaper printed somewhere in Missouri, containing a notice of this election, accidentally came into my possession a few days prior to the date fixed for the election. On reading this announcement, I immediately communicated the news to prominent citizens of Council Bluffs, and it was at once decided that Iowa should compete for the empty honors connected with the delegateship. An election at Sarpy's was determined on; arrangements made with the owners of the ferry boat at

that point to transport the *impromptu* emigrants to their new homes, and they were accordingly landed on the west shore of the Missouri river a few hundred yards above Sarpy's trading house, where, on the day appointed, an election was held, the result of which may be learned from the original certificate hereto annexed, a copy of which was sent to the Honorable Bernhart Henn, the member of the house of representatives from Iowa, by him submitted to the house, and referred to the committee on elections, but for reasons obvious to the reader of the proceedings of congress immediately following, no report was ever made by that committee in the case.*

I may remark here that I consented with much reluctance to the use of my name in this connection, and for several reasons: I was poor and could not well afford to neglect my business and spend a winter at Washington; the expenses of the trip I knew would be a heavy drain upon my limited exchequer; besides I had so lately neglected my private affairs by my service at Iowa City. However, I finally yielded to the earnest request of a number of my personal friends, who were also ardent friends of the new scheme, and consented to the use of my name, at the same time pledging my word that I would proceed to Washington if chosen and do the best I could to advance the cause we had in hand. In addition to the ballots cast for me for delegate at this election, the Rev. William Hamilton received 304 votes for provisional Governor; Dr. Monson H. Clark received 295 for Secretary, and H. P. Downs 283 for Treasurer.

These proceedings at Sarpy's landing were followed by various public meetings in Iowa, (and also in Missouri) at which resolutions were adopted, urging the organization of Nebraska territory. Amongst others, meetings were held at Council Bluffs, St. Mary's, Glenwood, and Sidney, at which the actions at Sarpy's were endorsed. Earnest and eloquent speeches were made by such leading citizens as Hon. W. C. Means and Judge Snyder of Page county, Judge Greenwood, Hiram P. Bennett, Wm. McEwen, Col. J. L. Sharp, Hon. A. A. Bradford.

* BELVIEW, NEBRASKA TERRITORY, OCT. 11, 1853.

Be it known that at in pursuance of Resolutions heretofore adopted an election was held at this place on this the Eleventh day of October 1853 being the second Tuesday in said month for delegate to Congress for the Territory of Nebraska at which the undersigned were duly appointed Judges and Clerks.

And we do hereby certify that the number of votes cast at said election was three Hundred fifty-Eight Votes of which Hadley D. Johnson received Three Hundred fifty-Eight votes.

MARSHALL FINLEY	} Judges.
R. P. SNOW	
MUNSON H. CLARK	} Clerks
FRANKLIN HALL	
JEFFERSON P. CASSADY	

L. Lingenfelter, C. W. McKissick, Hon. Benjamin Rector, Charles W. Pierce, Dan. H. Solomon, — — Downs, I. M. Dews, George Hepner, Wm. G. English, Geo. P. Stiles, Marshal Turley, Dr. M. H. Clark, and others.

In the month of November, Council Bluffs was visited by Hon. Augustus C. Dodge, Col. Samuel H. Curtis, and other distinguished citizens of other states, who attended and addressed meetings of the people of the town, warmly advocating the construction of our contemplated railroads, and the organization of Nebraska territory. In its issue of December 14, 1853, the Council Bluffs *Bugle* announced that "H. D. Johnson, delegate elect from Nebraska, passed through our place on his way to Washington last week."

In compliance with my agreement, I set about making arrangements to visit the national capital, which, as you may suppose, was not easily accomplished. Before starting, however; a number of our citizens who took such a deep interest in the organization of a territory west of Iowa, had on due thought and consultation agreed upon a plan which I had formed, which was the organization of two territories west of the Missouri river, instead of one as had heretofore been contemplated, and I had traced on a map hanging in the office of Johnson & Cassady a line which I hoped would be the southern boundary of Nebraska, which it finally did become, and so continues to the present time.

In starting out upon this second pilgrimage, I again faced the dreary desolate prairies of the then sparsely settled Iowa, but not as a year before, solitary and alone. B. R. Pegram, then a young and enterprising merchant of Council Bluffs, being about to visit St. Louis, it was agreed that we should travel in company to Keokuk, he with a horse and buggy, I with a horse and saddle. The trip was accomplished in safety, and on arriving at Keokuk, we took a steamer for St. Louis, shipping the horses and buggy.

On arriving at St. Louis, I tried in vain to sell my horse for a satisfactory price, and leaving him with a friend to be sold afterwards, I took a steamer bound for Cincinnati, whence I boarded a railroad train for Washington. (I remark in parenthesis that my horse was not sold, but subsequently died, to my great grief and considerable loss.)

On my arrival at Washington (early in January, 1854,) I found that a bill had already been introduced in the senate, and I think referred

to the committee on territories, of which the Hon. Stephen A. Douglas was chairman. This bill provided for the organization of the territory of Nebraska, including what is now Kansas and Nebraska, or substantially so. I also found, seated at a desk, in the House of Representatives, a portly, dignified, elderly gentleman, who was introduced to me as the Reverend Thomas Johnson. He was an old Virginian; a slave holder, and a Methodist preacher. This gentleman had also been a candidate for delegate at the informal election, and was credited with having received 337 votes. He had preceded me to Washington, and together with his friends, ignoring our Sargy election, had, through some influence *sub rosa*, been installed in a seat at a desk aforesaid, where being duly served with stationery, etc., he *seemed* to be a member of the house.

Previous to this time, in one or two instances, persons visiting Washington, as representatives of the settlers in unorganized territory, and seeking admission as legal territories, had been recognized unofficially, and after admission had been paid the usual per diem allowance as well as mileage, and in the present case I think my namesake had looked for such a result in his own case, but for my part I had no such expectation.

On being introduced to Mr. Johnson, who seemed somewhat stiff and reserved, I alluded to the manner of my appointment to the present mission, which, like his own, was without legal sanction, but was for a purpose; told him there was no occasion for a contest between us for a seat to which neither of us had a claim; that I came there to suggest and work for the organization of two territories instead of one; that if he saw proper to second my efforts, I believed that we could succeed in the objects for which we each had come.

After this explanation the old gentleman thawed out a little, and we consulted together upon the common subject.

Hon. A. C. Dodge, senator from Iowa, who had from the first been an ardent friend and advocate of my plan, introduced me to Judge Douglas, to whom I unfolded my plan, and asked him to adopt it, which, after mature consideration, he decided to do, and he agreed that, as chairman of the committee on territories, he would report a substitute for the pending bill, which he afterwards did do, and this substitute became the celebrated "Nebraska Bill," and provided, as you know, for the organization of the territories of Kansas and Nebraska.

The Hon. Bernhart Henn, at that time the only member of the house from Iowa, who also was my friend and warmly advocated our territorial scheme, finding that the Rev. Thomas Johnson was seated in the house and posing as a member, and not wishing to see him more honorably seated than myself, interceded, I presume with one of the doorkeepers, who admitted me into the house and seated me at a desk beside my friend, the minister, who it afterwards appeared was, like myself, surreptitiously admitted to the seat occupied by him, unknown to the speaker, or perhaps to the chief doorkeeper.

The fates decreed, however, that we were not to hold our seats a great while, for one day the principal doorkeeper approached me as I sat in my seat, and politely inquired who I was, and by what right I occupied the seat; and being by me answered according to the facts, he informed me that as complaint had been made to the speaker, he was under the necessity of respectfully asking me to vacate the seat, as such was the order of the speaker. I replied to him, that of course I would do so, but, I added, as my neighbor on my left occupied his seat by a right similar to my own, I felt it to be my privilege to enquire why I should be ousted while he was permitted to remain. On this the doorkeeper turned to Mr. Johnson, who corroborated my statement, whereupon the "two Johnsons," as we were called, were incontinently bounced and relegated to the galleries.

I never learned, nor did I care to know, whether I was removed at the instance of the friends of Mr. Johnson, or whether a Mr. Guthrie, who had also been a candidate for delegate, had fired a shot at his adversary, the Rev. Thomas. If the latter was the case, in firing he hit two birds. I did not feel hurt by this event, but believe that the dignity of the other Johnson was seriously touched, and himself mortified.

I ought perhaps to mention the fact, that in our negotiations as to the dividing line between Kansas and Nebraska, a good deal of trouble was encountered, Mr. Johnson and his Missouri friends being very anxious that the Platte river should constitute the line, which obviously would not suit the people of Iowa, especially as I believe it was a plan of the American Fur Company to colonize the Indians north of the Platte river. As this plan did not meet with the approbation of my friends or myself, I firmly resolved that this line should not be adopted. Judge Douglas was kind enough to leave that question to me, and I offered to Mr. Johnson the choice of two lines, first, the

present line, or second, an imaginary line traversing that divide between the Platte and the Kaw. After considerable parleying and Mr. Johnson not being willing to accept either line, I finally offered the two alternatives—the fortieth degree of north latitude, or the defeat of the whole bill, for that session at least. After consulting with his friends, I presume, Mr. Johnson very reluctantly consented to the fortieth degree as the dividing line between the two territories, whereupon Judge Douglas prepared and introduced the substitute in a report as chairman of the committee on territories, and immediately, probably the hardest war of words known in American history commenced.

I have omitted thus far in this sketch to record a circumstance, which perhaps ought to have been mentioned in its order, and which was one of the incidents which led me to believe that the American Fur Company was opposed to our scheme, because I felt sure that Missouri men were on good terms with the Indian department.

When I first called on Col. Manypenny, the commissioner of Indian affairs, being introduced by Gen. A. C. Dodge, and after informing him that my object in calling was to request him to take preliminary steps to making a treaty with the Omaha Indians, for the purchase of their lands in order to open the country to settlement by the whites, the Colonel, in a somewhat stilted and pompous manner, replied to my request by saying: "Mr. Johnson, the Omaha Indians do not wish to sell their lands, and it would not do any good to make the attempt." As I had heard similar remarks from friends or representatives of the Fur Company, I supposed that the Colonel had received his impressions from that quarter, but in answer I said to him: "Col. Manypenny, you are misinformed, and are laboring under a mistake, for I know positively that they are willing to sell, and assure you that if you will send for some of the principal men of the tribe, you will be able at once to make a satisfactory treaty with them."

After some little delay, Col. Manypenny, who had in the meantime had an opportunity to obtain more information than he was in possession of when we had our first conversation, sent for some of the chief men of the Omahas, who went on to Washington, when, as I had foretold, a treaty was made and ratified, by which their lands were turned over to the government, and in the following July were opened to settlement, whereupon quite a stampede took place, that is after the Nebraska Bill became a law and officers were appointed whose duty

it became to legally set in motion the machinery of a territorial government.

It may not interest you to be informed that the first celebration of our nation's birthday of which I have any knowledge as having occurred in Nebraska, took place July 4, 1854 (before any whites were permitted under the treaty to permanently locate on these lands), on the hill at Omaha, near where the capitol building formerly stood, and as near as I can locate it, on a spot occupied now by Davenport street.

A small number of persons on the day just mentioned, crossed the Missouri river from Council Bluffs, taking a few articles for a picnic. I remember that on the spot named, some resolutions were adopted, and a few brief speeches made; the stand on which the speakers stood was a common wagon, owned by my old friend Harrison Johnson, now no more, who, with some of the members of his family, constituted a portion of the party.

I do not think it necessary for me to extend this sketch to much greater length, having brought these reminiscences down to a period when the territory was organized, the circumstances of which you are no doubt acquainted with. My object in writing as I have on the subject being through your Society to furnish, for the benefit of "whom it may concern," a plain and unvarnished, yet correct, account of the manner in which it became possible for Nebraska to start, at so early a period, upon a career so useful and so honorable, as I in my inmost soul believe to be her final destiny.

I deem it not inappropriate for me to suggest the deep regret which I feel in the fact that circumstances have rendered it impossible for me to share with you the financial benefits, and the honors attending the grand career of the state which I always claim as "my Nebraska."

I have introduced in my manuscript the names of quite a number of the men of Iowa and other states, who assisted in the great work of which I have been speaking, to whom credit belongs for their action; but I have not spoken of others who at a later date labored in the same direction, and I cannot conclude without naming some of them, and although probably their names already appear in the records of your Society, I will here set down the names of several persons whom I remember as active, zealous, and efficient state builders in the years of which I have written. Among them are: Dr. Enos Lowe, Jesse Lowe, B. R. Pegram, James A. Jackson, Col. Lysander W.

Babbitt,, Joseph E. Johnson, Samuel S. Bayliss, Wm. D. Brown, A. J. Hanscom, I. P. Casady, Wm. Clancy, Sylvanus Dodge, G. M. Dodge, Samuel E. Rogers, E. Estabrook, Thomas Davis, John Davis, A. D. Jones, T. B. Cuming, O. D. Richardson, Augustus Kountze. Samuel Brown, Dr. G. L. Miller, Col. Lorin Miller, George Mills, A. J. Poppleton, S. A. Strickland, Byron Reed, C. H. Downs, George Stevens, Clarke Irvine, John M. Thayer, T. G. Goodrich, R. W. Furnas, J. Sterling Morton, I. W. Paddock, A. S. Paddock, Harrison Johnson, B. R. Folsom, S. F. Nuckolls, Geo. M. Shilecott, W. W. Wyman, besides a host of others.

SLAVERY IN NEBRASKA.

BY. EDSON P. RICH.

[Read before the Society, January 12, 1886.]

It is curious and somewhat romantic to note, that this territory, which was for several years the battle ground of a constitutional struggle over the question of slavery, was, if we are to accept the theory so eloquently defended by Colonel Savage,* first pointed out to a modern race by one himself a bondsman; and that later, a patriotic slave, in order to save his own country from the ravages of the Spaniards, led them to this territory in search of the "seven cities of Cibola," in the land of Quivera. It had been the dream of the Spaniards to rob these cities of their fabled wealth, and enslave the people. The project, however, was but one of the many romantic schemes of this chivalrous race in his search after the marvelous, a disease of the age, of which the Spaniard was typical, and not confined to any particular nation. Instead of the cities whose steeples shone in the light of the sun resplendent with gold and silver, these adventurers, weary with their long journey, found only a country terrifying in its barrenness and vastness of extent, peopled by a race whose aspect was so unforbidding, and whose nature so fierce and warlike, their only wealth vast herds of untamed buffalo, that after offer-

* In lecture before State Historical Society, April 16th 1880.

ing up the life of the false slave as some attonement for the hardships they had undergone, they turned their faces wearily towards Mexico.

Three centuries and one decade intervene, and this same vast territory becomes again the scene of an invasion; but now the strangers were armed with far different weapons of warfare from their predecessors; the struggle was now to be between man and nature, and not between man and man. Although this latter race enjoyed the light of three centuries of progress, many among them still clung to that false idea of economics which teaches that the confiscation of the results of the labor of one class contributes to the material prosperity of another class. The instinct of the early Spanish discoverer, which led to the plundering and then the enslaving of the victims of his rapacity, was not more subversive of good morals and good government, than was the economic creed of that body of men who composed the slavocracy of the nineteenth century.

In the many histories that have been written of slavery in the United States, since the settlement of the question, the majority deal too exclusively with political questions purely, leaving out of sight the economic principles underlying and determining the whole matter, and in this connection almost wholly ignoring the influence of the new territory of the west and north-west on the growth and final culmination of the slave power. The most authoritative writer* upon our constitution has said that the true history of the slave movement remains yet to be written, and that when the final word has been said, it will be found to be, that the solution of the whole matter rested upon the respective relations of the north and the south to the new and unsettled portions of the west and the northwest.

In this connection, the struggle over the Kansas-Nebraska bill was especially important, because it was decisive; deciding for all time whether or not the people of the respective territories had the power, under the constitution, to legislate slavery into, or prohibit it from, these territories.

When the struggle between the north and the south first began, it was upon the basis stated by Alexander Stephens, namely: That the whole question rested upon the grounds as to whether, as a system, slavery was immoral or sinful. On such a basis the issue would have remained long uncertain.

* Dr. Von Holst, in a series of lectures delivered at Johns Hopkins University during the winter of 1883.

As the number of slaves increased, a new problem arose; becoming not a question of ethics, but of economics. It was simply as Von Holst puts it, that the "south was crowded out of its position by force."* It was necessary either that the slavocracy be completely triumphant or that it be completely annihilated, for it was imperative, geographically, that the United States, as such, be preserved.

For a time the growth of the south was rapid, but after reaching a certain point, that institution, which at first promised so much in point of material prosperity, was the one which ultimately retarded, in the greatest degree, its growth. The chief product of the south being raw material, it was greatly dependent upon the north for its manufactured staples, and since it could not keep pace with the rapid growth of the north, in order to perpetuate the institution of slavery, it was necessary for it to retain the balance of power in the federal administration, and, to do this, new slave territory must be acquired.

Here, then, the struggle began, first over the northwest territory, ending in the celebrated ordinance of 1787. In the terms of this ordinance slavocracy read more than immediate defeat; it dreaded the effect of this measure as a precedent. The question became one of relative numerical strength between the two sections, and a few statesmen, even at that day, saw that compromise would avail little or nothing, Seward being the first to speak of the "irrepressible conflict."† The weakest element in the economic system of the south became, when attacked, the exact measure of the strength of that system.

After the Louisiana purchase in 1803 the struggle was renewed, ending in 1820 in the Missouri compromise. In 1850, the compromise over the admission of California, in consequence, repealed that of 1820, and by so doing imperatively called for a re-adjustment of the principles involved in the whole discussion.

This was in effect the status of the struggle at the time the Kansas-Nebraska controversy arose.

At this time all the region lying west and north-west of Missouri was known as the Platte country, in which white settlers were forbidden to locate, until the extinguishment of the Indian title, which was consummated in the year 1854. Notwithstanding this prohibition on the part of the general government, a large number of settlers ventured to establish trading posts in the territory, comprising what is

* Baltimore lectures.

† Von Holst's Baltimore lectures.

now known as Nebraska; and a much larger number, the more timid, were camped along the banks of the Missouri river, on the Iowa side. Petitions had been presented from trading posts in this Indian country from the people in western Iowa, as early as the year 1851, asking for the erection of the Platte country into a territory, but no action was taken until the following session of congress, when Mr. Hall of Missouri presented a bill to the house, providing for the organization of the territory of Platte. This bill was referred to the committee on territories, and from that committee Mr. Richardson of Illinois presented a bill providing for the organization of Nebraska. The bill was opposed by the south and reported from the committee on the whole with a recommendation that it be rejected. It finally, however, passed the house by a vote of 98 to 43, but was defeated in the senate.

During the winter of 1853, a mass convention met at the then village of St. Joseph, Missouri, for the purpose of preparing a memorial to the president and to congress, calling attention to the necessity of opening up the Platte country for settlement. The committee on resolutions spent one whole night in wrangling over a resolution to the effect* "that the emigrants in the territories ought to receive the same protection to property that they enjoyed in the states from which they emigrated." The word property meaning slaves. Charles F. Hally, the chairman of this committee, being one of the earliest slaveholders in Nebraska, at that time living at Nebraska City.

In 1853, meetings were also held at Bellevue, then a trading post and mission, and at old Fort Kearney, now Nebraska City, for the purpose of electing delegates to represent at Washington the interests of the squatters. Mr. Hadley D. Johnson, then living at Council Bluffs, Iowa, was chosen as such delegate, and although he had no seat in congress, yet exerted a great influence in the preparation of the bills introduced, and was especially relied upon by Mr. Douglas in his study of the question.†

In December, 1853, Mr. Dodge, of Iowa, submitted a bill to the senate, "to organize the territory of Nebraska." This bill was reported back from the committee on territories with certain amendments, but none touching the vital point. Douglas, who was chairman of this committee, had hoped by his silence on the slavery question to gain southern influence, but was forced into a new course by

* Trans. and Rep. of the Neb. S. H. S., Vol. I., p. 38.

† Johnson's History of Nebraska, p. 40.

threatened legislation. Profiting by this experience, in introducing a new bill with the same object in view, he made several radical changes: first, he divided the territory named in the first bill into two territories; that portion lying directly west of the Missouri to be called Kansas, the remainder Nebraska. On the question of slavery, he embodied that celebrated principle, which became known as "the stump speech in the belly of the bill."

It is needless to follow this bill through its eventful course in the house and senate, but it is sufficient to say, that its passage was looked upon by the southern members as a victory for the south.

The struggle which immediately took place in Kansas is well known but it did not greatly affect Nebraska, since the trouble was fomented principally by slaveholders in the adjoining state of Missouri, while Nebraska was joined on the east by an anti-slave state.

The government of the new territory was entirely in the hands of the democrats, President Buchanan appointing a number of the officers from the extreme south. On the other hand, a large majority of the settlers were from the north, so that it soon became evident that the question, whether the soil of Nebraska was to be slave or free, would not be decided without a bitter struggle.

A majority of the officers appointed brought with them a few slaves, merely as servants, however, it being recognized by the south as well as the north, that at that time Nebraska offered no remunerative field for slaves in large numbers.

Those in power were more or less affected by the struggle in Kansas for the reason that so long as the soil of that territory remained free it offered an asylum for fugitive slaves, many of whom came to Nebraska. This state of affairs had its effect upon the slaves within the territory, and to prevent this for the future the democrats determined upon the initiative in legislation concerning this question. The matter was made still more urgent from the fact that about this time John Brown made his appearance upon the scene, and in the autumn of 1855 made his preliminary survey of what afterwards became his famous "underground railway" through Nebraska.* Falls City was the first station in this territory, Nemaha City the second, and Nebraska City the third. At this point the fugitive slaves were crossed over the Missouri river into Iowa. This was a part of the route

*A. R. Keim in the *Richardson County Leader*, December 24, 1885.

from Missouri to Canada, for which point the fugitives were bound, but many of them remained in Nebraska, where they were practically free. During the session of 1857, a bill (see Appendix "A") was introduced in the senate to prevent free negroes from settling in the territory.* The Journals fail to record the fate of this bill, but do record† the tabling of a bill from the house of the same import. This bill provided that any negro or mulatto settling in the territory "with the intention of making it his residence," upon conviction should be fined ten dollars, and imprisoned until he consented to leave the territory.

In June, 1858, occurred the first formal organization of the democratic party in the territory. The party was divided about equally on the Leecompton constitution, being made up of Douglas and Buchanan democrats.‡ The dividing line between the republicans and democrats was not clearly defined; in fact a majority of the Douglas democrats afterwards voted with the republicans. In April, 1858, the democracy of Dakota county, in convention assembled, resolved:

"That we cherish an abiding faith and confidence in the great doctrine of popular sovereignty, as set forth in the Kansas-Nebraska act, and that we regard it as a vital element of democracy, and as embracing the fundamental principle of all free governments." To such democratic doctrine the republicans heartily gave their assent, while the Buchanan democrats denied this power as resting in the people, according to the terms of that act. After a glance at the composition of the legislature of the winter of 1858, it is a matter of great wonder that united action could be had upon any measure affecting the slave power. The house and council together consisted of fifty-two members, making the following showing as to political creeds:§

Douglas democrats 9, independents 7, democrats 22, republicans 13, whigs 1.

Although greatly in the minority, the republicans had determined upon constant agitation of the one absorbing question, yet not blind to the fact that it could have no immediate result. On November 1, 1858, on leave, Mr. Daily introduced "a bill for an act to abolish slavery in the territory of Nebraska." On failure of a motion by a facetious member|| to postpone further consideration of the bill until

* Council Journal, Third Session, p. 127.

† Council Journal, Third Session, p. 160.

‡ *Omaha Nebraskan*, April 21, 1858.

§ *Omaha Nebraskan*, Oct. 13, 1858.

|| Mr. Rankin.

the ensuing fourth of July, it was referred to a special committee of five.* The committee were divided in their opinion concerning the bill, and on the following day Mr. Daily brought in a majority report favoring its adoption, citing an organic act of the territory as conferring power upon the legislature to pass an act of this kind, and denying the assertion contained in President Buchanan's message, that Nebraska was as much a slave territory as South Carolina or Georgia.

The minority report presented by Mr. Rankin denied that slavery existed in the territory in "any practical form," and could not so exist without "affirmative legislation;" that it was deemed not only unnecessary but extremely unwise and unpatriotic, in the present state of the public mind, "to hurl this fire-brand of strife into our peaceful territory," hoping and trusting that the word slavery would never disgrace the fair pages of the statute book. This report recommended the indefinite postponement of the bill. Both the minority and majority reports were laid upon the table by a vote of fourteen to twelve, and further attempts to legislate upon this question were abandoned for the session.

Previous to this period in the history of the territory, the only evidence of the existence of a republican party consisted in a scattering opposition to the democracy on the part of a few men, holding a variety of political tenets. In the *Omaha Republican* of October 27, 1858, appeared a call for a meeting of the republican executive committee of Nebraska, indicating that there had been a previous organization of this party. Such however was not the fact. In March of 1859, the Douglas county democracy gave the opposition a friendly invitation to select candidates to be voted for at the next general election, for the purpose of testing the numerical strength of the respective parties. This invitation resulted in the first effort at republican territorial organization, which took place in the convention assembled at Bellevue, August 24, 1859. The assembling of the heterogeneous body caused great merriment in the ranks of the democracy. It was asserted that no two men of the convention held similar opinions upon any question except that of the territorial government, and that was for the reason that none but democrats were office holders. The *Omaha Nebraskian*,† in commenting upon what it was pleased to call "The Republican Fandango," said:

* Messrs. Daily, Rankin, Tafté, Stewart, and Fleming.

† Issue of August 27, 1859.

"That convention, which in courtesy is styled republican, was composed of a motley crew; embracing abolitionists, northern and southern know-nothings, men who preach squatter sovereignty in one breath and rail against it in the next, men who favor congressional intervention to keep slavery out of the territories, and those who desire it as a means of getting slavery into the territories."

Although coming as this stricture did from the opposition, there was much of truth in it. In movements of any kind, and especially in those of a political nature, men are influenced more by the personality of the leaders than by the principles they profess to teach; so that in a body of men such as made up this convention, drawn from almost every state in the union, and but lately come to know each other, it would be but natural that each one should bring with him the effects of his home training.

This assembly would not have been a political convention, had not some of the counties been represented by several different delegations. The convention, however, observed no fixed rule in admitting them. Of the two delegations from Cass county, the one claiming no other creed than eternal opposition to the democracy, was the one admitted; while the contest from Otoe county was compromised by admitting an equal number of both delegations, one of which was composed of representatives of the "people's party," the other of uncompromising "black republicans."

The point of interest concerning this whole matter was the platform adopted, proclaiming in the new territory for the first time, as the doctrine of a party:

"That the citizens of the United States emigrating to this territory bring with them their inherent rights to legislate for their protection and welfare, subject only, under the constitution, to the regulations of congress. That the people of this territory should be allowed to elect their own officers and regulate their own domestic institutions, and that it is the duty of the territorial legislature, in exercise of its power, to prohibit slavery in the territory."* Here for the first time were the party lines drawn distinctly, and the unanimity of action on the part of the men composing the convention left no doubt as to their intentions for the future. A resolution had been offered that the Philadelphia platform of 1856 be adopted, but was soon disposed of, since that platform recognized the power to prohibit slavery from or

* Territorial republican platform of 1859.

legislate slavery into the territories as vesting only in congress and not in the territorial legislatures, nor even in the people of the territories in constitutional convention assembled.*

In the campaign of the fall of 1859 the question of slavery was not made a practical issue, although in reality its influence was most potent. Orators pronounced as the issue of the campaign, whether Nebraska should be a free or slave territory,† and yet at the same time the discussions were not carried on with that bitterness and harshness which characterized the campaigns in many of the states. The wrangle over the public printing tended to overshadow the slave problem and to give the local coloring to the canvass. The question was referred to incidentally rather than directly; for instance, in the charges made by the democratic papers that the republican candidates were in favor of negro equality and of admitting negro testimony in the courts; also in the denunciations of this party as "black republicans" and "nigger worshippers."

Apropos of the term "black republican," Mr. Marquett relates an amusing incident which occurred during the term of Governor Black. At that time, although the republicans were rich in principle, they were poor in pocket. In fact it has been asserted that in January 1858, counting rich democrats and all, there was not an average of \$2.50 to each inhabitant of the territory.‡ This being the state of affairs, and the greater part of this little stock of wealth in the hands of the democrats, that party gave all the champagne suppers, and in fact all the good things of the land fell to the lot of the party in power—a sort of Dives and Lazarus state of society. The republican party was eventually made to rejoice by the accession to its ranks of a man who claimed to have a bank account somewhere in the east, and who proposed to give a banquet to his party at his own expense. During this banquet, which as a matter of fact did come to pass, Governor Black and his secretary entered, and being invited to take part in this the first feast of the republicans, the secretary thought to create some amusement at the expense of this party by proposing a toast to Governor Black without the republicans. One of that party immediately arose and proposed a toast to the republicans without the Black; to this toast the Governor heartily assented.

In the fall elections the showing made by the republicans was a

* Cooper's "American Politics," p. 39.

† Speech of John M. Thayer at Omaha, Aug. 23, 1859. *Omaha Nebraskan*, Sept. 3, 1859.

‡ Address of J. S. Morton, Council Journal, Sixth Session, page 174.

matter of surprise to the democrats, who were considerably angered from the fact that Falls City, with the aid of Jim Lane abolition voters run over from Kansas and Missouri, returned one hundred and forty-three votes out of the total one hundred and seventy-two cast; yet notwithstanding this abolition aid, the republicans were generally defeated throughout the territory, and the democratic papers* hastened to proclaim in bold headlines the "joyful tidings," "Abolitionism in Nebraska wiped out." Abolitionism, however, had taken firm root in the new territory, and on the assembling of the legislature in December, bills providing for the prohibition of slavery in Nebraska were introduced into both the council and house of representatives. The bill introduced into the council was prepared by Messrs. Marquett and Taylor, and introduced by the latter. (Appendices "B and C.") The bill provided for a fine in case of any person holding slaves in the territory, including white persons and Indians in its provisions as well as negroes and mulattoes.

On the second reading it was referred to a select committee of three.† This committee, after due deliberation, seemed to have mutually resolved that each and every member thereof should present a report after his own mind, which was accordingly done.

Mr. Taylor, the chairman of the committee, favored the passage of the bill for the reason that slavery did exist in the territory, and for the further reason, that the territorial legislature had the power to pass such an act, citing in support of his first reason the fact that various democratic office holders, as well as members of the legislature were the owners of slaves at that time.

Dr. George L. Miller, in his report, questioned the power of the legislature to pass such an act, and further denied that practical slavery existed in the territory. He affirmed that the bondage of the few so-called slaves was voluntary, and that one of them at least was a burden to his master, by reason of his being subject to fits, leaving to the "candid and careful consideration" of the council to consider what could "be done to lighten the burden of the master and remedy the terrible malady of the slave." Furthermore, that "under the operation of incidental causes, aided by the stealing propensities of an unprincipled set of abolitionists, the number has been reduced to the insignificant figure of four and one-half slaves all told," and that

* Omaha *Nebraskaian*, October 15, 1859.

† Messrs. Taylor, Miller, and Doane.

this fact furnished "abundant proof of the entire uselessness of the legislation" for which the bill called.* Mr. Doane would not admit for an instant that slavery existed in Nebraska, but questioned the propriety of "confiscating" property providing it was held. He was of the opinion that the territorial legislature had the power to pass an act of this kind but thought the introduction of the bill untimely. (See Appendix D.) At this point the bill was dropped and one from the house on the same subject taken up. This bill had been introduced in the house by Mr. Marquett, then of Cass county, and after a spirited contest of several days had passed by a vote of twenty-one to seven teen. In the council a joint resolution, taking the place of the bill, was offered by Mr. Porter and adopted. Here for the first time the Douglas democrats joined with the republicans, this giving them a clear majority.

In the house these resolutions were referred to a committee of three.† A majority report of this committee, signed by Messrs. Marquett and Lake, earnestly recommended the passage of the resolutions, with certain amendments. The minority report of Reynolds denied the necessity of the intended legislation, as slavery did not exist in the territory. The resolutions having been amended,‡ passed the house in the form of a bill, and on January 3, 1860, the council concurred in the amendments of the house.

On the ninth, the bill was returned unsigned by the Governor. The message accompanying the bill first set forth that the passage of such an act would be a direct violation of the treaty made at the time of the Louisiana purchase. The third article of this treaty provided that "the inhabitants of the ceded territory shall be incorporated in the United States, and admitted as soon as possible, according to the provisions of the federal constitution, to the enjoyment of all the rights, privileges, and immunities of citizens of the United States; and in the mean time, they shall be protected in the free enjoyment of their liberty, property, and the religion which they profess."

Nebraska being a portion of that territory and not yet admitted as a state, the people were still subject to the provisions of the cession treaty, and according to the tenor of this document, slaves were property.

In the second place the message denied the power and authority

* Council Journal, sixth session, p. 46.

† Messrs. Marquett, Lake, and Reynolds.

‡ House Journal, sixth session, page 189.

of the territorial legislature to pass such an act, since this body did not constitute the "people," as contemplated in the organic act, but interpreted the word people to mean the people of the territory in convention assembled.

The action of the Governor was not unexpected, as he was known to be an ardent pro-slavery man, one of Buchanan's pets, appointed from Pennsylvania. On the breaking out of the war, however, he returned to Pittsburg, entered the service as colonel of a Union regiment, and was killed in the seven days' fight about Richmond.

Several days after the veto,* upon motion of Mr. Furnas, the whole matter was indefinitely postponed and received no further attention at that session.

The real object in introducing the bills at this session had been to see just where certain men stood; to determine the actual attitude of the Douglas democrats, as well as a body of men known as independents, who were opposed to the democracy, but did not go to the extreme of black republicanism. The action of the legislature had also been urged by New England abolitionists, that the position of the new territory might be determined as speedily as possible. Letters were also received from Charles Sumner and Colfax, thanking the republicans of Nebraska for what they had done and urging upon them the necessity of persistent agitation.

During this session the contest had been of a nature both offensive and defensive, the democrats again bringing forward their free negro bill, which was introduced in the house by Mr. Nuckolls, of Richardson county. At that time many of the free states had laws prohibiting negroes and mulattoes from settling within their borders, Indiana, the native state of Mr. Nuckolls, being one of these.

After a first and second reading the bill was referred to a special committee of three, consisting of Messrs. Nuckolls, Johnson, and Marquett. In the minority report presented by the latter gentleman, he exposed the whole intent of the bill, when he said that it was simply intended as "political buncombe." In fact, this bill, as well as the resolutions offered by Mr. Donelan, was intended as an off-set to the republican bills. The Nuckolls bill provided that negroes or mulattoes remaining in the territory for a period longer than sixty days were guilty of a misdemeanor. By a vote of twenty-one to fifteen the enacting clause was stricken out, thus killing the bill.†

* Friday, January 13, 1860.

† House Journal, sixth session, page 129.

The Buchanan democrats were furious at the desertion of the Douglas democrats, but laid all the blame upon the black republicans. One of the democratic papers, in commenting upon the legislature said: "The black republican party is founded upon the great element nigger; it is fed upon nigger; its motive power is nigger. The African party are clothed in garments of sable, and their faces are of ebony and they masticate charcoal."

Nowwithstanding the frequent assertions of the democrats that slavery did not exist in Nebraska, several incidents occurred in the interval between the closing of the session in January 1860 and the following session in December of that same year, which went very far to prove the contrary. During the summer of 1860, a colored woman Eliza, a slave belonging to Nuckolls of Nebraska City, escaped, (an unfavorable comment on her "voluntary bondage,") and was captured in Chicago, but taken away from her captors by a mob of negroes and whites, the whole matter terminating in a lawsuit which became widely known as the "Chicago rescue case." The *Times* and *Herald* of that city raised a great outcry over the affair and declared the nation lost.

During this year there were also several suits in the Iowa courts growing out of the disputes arising from the attempt of slaves held in the territory to escape. In one case a citizen of Iowa recovered a judgment of several thousand dollars against a citizen of Nebraska City, who had broken into the house of the former while in pursuit of a fugitive slave. The evil effect of the system began to be felt in Nebraska, since, by reason of disputes arising over the ownership of certain slaves, the trade of a good part of the country adjacent to Nebraska City was transferred to other towns.

About this time an advertisement of sheriff's sale appeared in the democratic paper published at Nebraska City, which announced that Sheriff Birchfield, by virtue of an execution in favor of William B. Hall against Charles F. Holly, would, on the fifth day of December, offer at public sale to the highest bidder, the "following described property, to-wit: One Negro man and one Negro woman, known as Hercules and Martha." The republican paper* published at Nebraska City, commenting at length upon the affair, called upon the legislature to settle the matter at once, for all time, and in the fall elections, the question was made a direct issue. There were several

* Nebraska City Press.

incidents connected with this sale which still further aroused the republicans.

The democrats themselves held that the act of bringing a slave into the territory virtually gave him his freedom, since it was necessary to positively legislate slavery into the territory before it could legally exist; yet at the same time execution was issued out of a pro-slavery court upon a negro as property, whom in the same breath it declared to be free. The republicans instituted proceedings against the judgment creditor, Hall, as a kidnapper, but nothing came of the affair further than the effect produced by the incident upon the succeeding legislature.*

One is forced to the conclusion, that at the beginning of this contest both parties were agitating the question for political capital, but at this time the matter had become a question of real seriousness to all parties concerned. The democrats realized that slavery could never flourish in Nebraska, and that an attempt to force the matter but rendered the "irrepressible conflict" the more imminent. The pro-slavery men had never made a united effort to legislate slavery into the territory, since it was expected that the result of the conflict in Kansas would virtually settle the matter for Nebraska as well.†

The year 1860 had been a prosperous one for Nebraska. The population had been greatly increased by settlers, the majority of whom were republicans. In the fall elections, this party swept the territory, so that out of thirteen members elected to the council, eight were republicans, while out of thirty-eight members elected to the lower house the democrats could claim but eleven.‡ The democratic papers§ made great sport of the promised reforms by the "kinky haired" republicans, and before the close of the session one of them became so abusive that its editor was excluded from the floor of the House.§

On the assembling of the legislature there were not wanting signs of the intention of the republican majority. William Taylor, better known as "Handbill Taylor," so called from his fondness for posting men who refused to give him such personal satisfaction as was demanded by the code of honor, and known as one of the most violent anti-slavery men in the territory, was chosen president of the council.

* See speech of Downes, of Otoe County, in House of Representatives, December 12, 1860.

† Private conversations with Mr. Marquett. *Brownville Advertiser*, January 3, 1861.

‡ *Omaha Republican*, November 29, 1860.

§ *Omaha Nebraskaian*, December 1, 1860.

§ *Brownville Advertiser*, Dec. 20, 1860.

On the 4th of December, Governor Black read what was to be his last message to a Nebraska legislature. He appeared oppressed with the thought of impending danger to the nation, and was fearful lest the republican majority, in the exercise of its newly acquired power, should do something to hasten that event, which he so dreaded, namely, the dissolution of the union. He urged upon them the distinction between legislation which might abstractly be right, and legislation which would be both right and beneficial in its results. He called especial attention to the fact that the proposed measure would injure their commercial relations, since no steamboat, with a "hired slave" on board, could with safety touch the shores of Nebraska. He believed that slavery, like every human institution, would have its day, that it had in fact passed its culminating point; but that if the union should perish the evil would then become irreparable. Finally, if it was not in the power of the legislature "to do something towards bringing back the days of other years, when peace prevailed," at least to do nothing "towards making the present gloomy, and the future hopeless." *

Men of the opposite party respected the spirit of patriotism and love which dictated words of such moderation, in a time so exciting, but they had pledged themselves in their platform to do all in their power to secure the passage of a bill prohibiting slavery in the territory, let come what might, believing that disunion without slavery was preferable to slavery and union. Early in the session bills to this effect were introduced in both houses,† and although the opposition was confined to fewer men than in the former sessions, yet the debates were more spirited and the enthusiasm more genuine than at any previous time. The democrats acknowledged the power of a territorial legislature, but denied their moral right, in view of the threatened disunion, to pass a bill of this character. The bills passed rapidly to a third reading, in the council there being three and in the house but two dissenting votes on the final passage.

The governor again vetoed the bill, and in his message went over about the same ground as in his former one, characterizing the passage of the bill as "most ill-timed and unpropitious." The reading of the message in the House caused great excitement, one member, not particularly noted for the exactness of his knowledge, spoke of it as

* Governor's message, Council Journal, 7, session, page 126.

† In the House, December 6, 1860; in the Council on the following day.

the "extraordinary dictum of king James *vicegerent*," and branded Governor Black as "*Judas I-Scariot*."*

The bill was soon after† passed over the veto, the vote standing the same as on its final passage, and declared to be a law by the secretary of state.‡

The statute prohibited slavery or involuntary servitude in the territory, but provided no penalty for its infringement.

In 1862 a similar law in Kansas was declared unconstitutional, and for a time in this territory it was feared that this law might be disposed of likewise, but no occasion occurred for testing its validity.

The bill had passed in January, 1861; in April, the same year, began that struggle, which for a time was to make the future seem "at best but hopeless." In the time of peril, Nebraska gallantly responded to the call for aid; her war record needs no eulogy.

APPENDIX.

A.

COUNCIL BILL 58.

JOINT RESOLUTION for the Prohibition of Slavery.

WHEREAS, Some of our citizens seem to fear that slavery or involuntary servitude may be a fruitful source of discord and disunion in the territory, and in order that we may not have any further agitation upon this unpleasant subject, and that the same may be forever settled, therefore,

Be it enacted by the Council and House of Representatives of the Territory of Nebraska: That slavery or involuntary servitude, except for the punishment of crime, be and the same is forever prohibited in this territory.

Amendments adopted in the house:

Strike out the words "joint resolution" in the title and insert in lieu thereof "a bill."

Add as Section 2:

This act shall take effect and be in force from and after the first day of July, A.D. 1860.

B.

COUNCIL BILL 130.

AN ACT to prevent free negroes from settling in the territory of Nebraska.

Read first time February 9, 1857.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Terri-*

* Omaha *Nebraskan*, Jan. 5, 1861.

† In the Council Jan. 3, and in the House Jan. 5, 1861.

‡ Hon. J. Sterling Morton.

tory of Nebraska: That hereafter no free negro or mulatto shall be permitted to emigrate to, or to take up his abode in this territory.

SEC. 2. Any negro or mulatto, who shall, after the passage of this act, come into this territory with the intent of making it his residence, shall be fined in the sum of \$10 on conviction before any justice of the peace, and shall be imprisoned until he assents to leave the territory.

SEC. 3. This act shall take effect from its passage.

C.

COUNCIL BILL 2.

A BILL for an act to abolish and prohibit slavery or involuntary servitude.

Read 1st time December 7, 1859; read 2d time December 8, 1859.

SECTION 1. *Be it enacted by the Council and House of Representatives of the Territory of Nebraska*: That slavery or involuntary servitude in this territory is forever abolished and prohibited, except for crime.

SEC. 2. If any person or persons whomsoever shall violate the foregoing provision by holding in slavery any negro, mulatto, Indian, colored or white person against his, her, or their consent, the person so offending shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any court of competent jurisdiction, be punished by fine not exceeding three thousand dollars nor less than five hundred dollars.

SEC. 3. This act shall take effect and be in force from and after the first day of May, A.D. 1860.

D.

COUNCIL BILL —.

JOINT RESOLUTION relative to slavery.

Introduced by Doane, December 21, 1859.

WHEREAS, Slavery does not exist in this territory, and there is no danger of its introduction therein,

Resolved, That being opposed to the introduction of slavery in this territory, and asserting the exclusive power of territorial legislatures over the whole subject of slavery in the territories by right of inherent sovereignty in the people to regulate their domestic institutions in their own way, and by virtue of the provisions of the Kansas-Nebraska bill, this legislature is prepared in any proper and practical way to take whatever action may be necessary to prohibit or exclude slavery from this territory at any time when such legislation may become necessary.

Resolved further, That, believing the agitation of this question at this time, by the attempt to legislate upon the subject of slavery in this territory, to be ill-timed, pernicious, and damaging to the fair name of our territory, the members of this legislature will oppose all such attempts.

JOHN BROWN IN RICHARDSON COUNTY.

BY A. R. KEIM.

[Communicated to the Society.]*

In 1855 John Brown went to Kansas "for the sole purpose of fighting if need be for liberty." He soon had occasion to teach the "Border Ruffians" that he could strike hard blows in behalf of free homes and an enslaved race. In repeated encounters, with a handful of men, he worsted the pro-slavery forces that came against him, and his success at the battle of Black Jack, and Ossawatimie, and Lawrence made old John Brown of Ossawatimie, one of the foremost men of Kansas. The Missouri slave holders recognized him as the most vigorous and uncompromising of all their enemies. He was the most to be feared, because on all matters pertaining to this contest his convictions were intensely sincere. He believed in the god of battles and conceived his mission in life to be to free the slaves. In religion and conduct he was a puritan of the sternest sect. He was sixth in descent from Peter Brown, who landed from the Mayflower at Plymouth Rock in 1620, and the same motive that induced his ancestor to flee from the tyranny and persecution of king and clergy actuated John Brown to begin an armed resistance to the slave power—the love of liberty. He was true to the inherited instincts of his race, and in the language of James Redpath "He planted his feet on the Rock of Ages, the eternal truth, and was therefore never shaken in his policy or principles." He was not satisfied merely to defend Kansas against invasion, but, leagued with kindred spirits, carried on a predatory warfare against Missouri, releasing slaves and aiding them to escape to a place where their freedom would be secure. To get these freed men away from Missouri is what brought John Brown to Richardson county. A passage for him through Missouri was impossible, and to reach Canada, it was necessary to make a wide detour through Nebraska and Iowa, where public sentiment was on the side of the runaway slaves, and though Judge Taney had held that good citizens ought to return these fugitives, the people of Falls City in those early

* Read before the Richardson County Teachers' Association, Dec. 12, 1885.

days thought otherwise; consequently a warm friendship grew up between our people and Brown. He had been in Kansas somewhat more than a year when he made his first trip to Falls City. It was in the autumn of 1855 that his wagon, containing a single fugitive slave, crossed the Nemaha near the falls. He was on his way to New England in search of aid and friends to use in the Kansas troubles. A large portion of the journey was made in his wagon. It was on this trip he made the preliminary survey of the famous underground railroad, which afterwards became well worn by the feet of those who fled in fear and trembling from cruel task-masters. A route along the Missouri river was impracticable, for Leavenworth, Atchison, and other river towns were full of pro-slavery men, as was also Leocompton, on the Kaw, and then, too, the Iowa Sac and Fox Indian reservation stretched directly across this route. The negroes were afraid of the Indians, and perhaps they had good grounds for their fear. Doniphan, only a short distance from Atchison, was a hot-bed for abolitionists, among whom were Gen. Lane, afterwards U. S. Senator, James Redpath, the historian, and John Martin, present governor of Kansas. This town would have been on the river route, but taking all things into consideration it was thought to have too many pitfalls for the unwary African.

Most of the fugitives were started from near Topeka, Kan.; traveling a little west of north, they came to Syracuse, whence the course was slightly east of north until Falls City was reached. Three or four days were usually required to make this journey. Nemaha City was the second station in Nebraska, and the Missouri was crossed at Brownville and Nebraska City, usually Nebraska City. At Tabor, Iowa, the fugitives were comparatively safe, and there they were outfitted for Canada, the money for this purpose coming largely from Puritan New England. Brown had trusty friends along the way to whom fugitives applied for food and protection and direction from one station to another. The old hotel that once stood on Ed. Bell's corner was the head-quarters of John Brown, Gen. Lane, and other anti-slavery men who frequented Falls City between 1856-60. This building may now be seen on the north east corner of Roy's addition on the street leading to the old cemetery. Its reputation since its removal has fallen into so low esteem that the neighborhood would gladly be rid of it. Squire Dorrington's barn, which so long occupied the lots

in the rear of Dorrington's brick block, near Mrs. Ralston's boarding house, was used as a hiding place for Brown's freemen. Many a time did the old barn do glorious service in this way, and the squire's noble wife, with true Christian heroism, gave them food to refresh their weary bodies and sympathy to cheer them on their way. Elias Meyers has recently put a windmill, one mile north of town, on the very spot where once stood the humble hut of one William Buchanan, poor in worldly goods but rich in love and sympathy for the wretched slaves whose treadmill of life was harder than his own. To him was intrusted the care of the first station on the underground railroad in Nebraska, and though he may have proved unfaithful to his trust in one or two instances, driven by hard necessity, yet upon the whole the blacks who roused him in the night received a kindly welcome and were sent on to Nemaha City, after resting awhile with him. Brown made four or five visits to Falls City, each time bringing slaves. He crossed the Nemaha near the falls and drove up through the town, making no effort to conceal the nature of his cargo. A mile or two beyond a camp would be selected. At nightfall the negroes would be hurried off to Buchanan's or Dorrington's barn, so that in case of an attack on the camp the negroes could escape. Strict watch was kept on his camp without the appearance of so doing. Brown himself would usually be found in town in close conversation with his friends. After two or three raids had been made into Missouri, the slaves along the border got it into their heads that "the year of jubilee" was at hand, and began to emigrate singly and in bands; of course these came unattended by white men. It is now nearly 27 years ago that a negro named Jim came secretly across the border one night to Brown's cabin and told that himself and family had been sold and would be sent off to Texas next day. Dividing his band into two parties Brown set off to the rescue. Several places were visited and the slaves taken; one Missourian who offered resistance was killed. This act roused Missouri against him. The governor of the state offered a reward of \$2,500 for him, and President Buchanan added \$250 more. Many of Brown's Kansas friends, through policy, now turned against him, and he knew that the time had come for him to strike the blow that he had planned to be the climax of all his efforts. So he began to move slowly through Kansas, pursued at times by pro-slavery parties, which were either eluded or defeated. When between Falls City

and Topeka, a short distance from the latter place, he captured squire Dorrington's mail carrier and brought him far enough back toward Nebraska, so that before any information could come to the knowledge of the U. S. authorities from this source he would be many miles on his way to Falls City, and pursuit would be useless. The mail carrier, now a resident of this city, was then an admirer and sympathizer of Brown. Finding that danger of pursuit was over when he reached this place, he remained in the neighborhood two or three days. The last night was spent at the cabin of Buchanan in discussing with his friends—among whom Wilson M. Maddox was one—his Harper's Ferry campaign. It is reported that he camped one night at the place of John Herkendorf on the Muddy, and his negro women in cooking the meal broke a cup of Herkendorf's, which Brown insisted on paying for. In all his transactions with our people he was scrupulously honest. "Finding it necessary to his success that slaves should have horses, and that the masters should not," he never hesitated to take them from the Missourians. This is the last time Falls City saw John Brown, and she heard no more of him until the news flashed over the country on Oct. 17, 1859, that the U. S. arsenal at Harper's Ferry was in possession of an armed band whose professed object was to free the slaves. When asked by what authority they had taken possession of public property the reply was, "By the authority of God Almighty." Of the many thousands who heard the news on that morning, few understood what it really portended. The busy men of the north saw it merely as the wild adventure of a fanatic; to a little band of New Englanders it bore a different message. The south was bewildered, alarmed, and enraged; their homes and property no longer seemed secure. Virginia, wild with excitement, rushed to Harper's Ferry to look upon the man who had hurled the firebrand into their midst, the man who struck the first real blow at slavery, who had sounded the tocsin of civil strife and committed the first act of war. To quote Frederick Douglass, the most gifted orator of his race: "Not Carolina, but Virginia—not Major Anderson, but John Brown began the war that ended American slavery and made this a free republic. Until this blow was struck the prospect for freedom was dim, shadowy, and uncertain. The irrepressible conflict was one of words, votes, and compromises. When John Brown stretched forth his arm the sky was cleared, the time for compromising was gone, the

armed host of freedom stood face to face over the chasm of a broken union, and the clash of arms was at hand." Brown's own opinion of his work at the Ferry is best shown in his conversation with Mason, of Virginia, and Vallandigham, of Ohio, while in prison. "I claim to be here carrying out a measure I believe to be perfectly justifiable and not acting the part of an incendiary or ruffian; on the contrary I am here to aid those suffering under a great wrong. I wish to say furthermore that you had better, all you people of the south, prepare yourselves for the settlement of this question, it must come up for settlement sooner than you are prepared for it, and the sooner you commence that preparation the better for you. You may dispose of me very easily, I am nearly disposed of now, but this question is still to be settled—this negro question I mean. The end of this is not yet." It seems that every great cause must have its heroes and martyrs; "blood must be sprinkled in the faces of the people" before they recognize what eternal justice demands. The cause of slavery demanded at the hands of this nation the blood of John Brown, of Abraham Lincoln, and of many thousand good men besides. The one died on the scaffold, the death of a traitor to his country, than whom none loved her better, heartily condemned and hated by more than half the nation, and with but little sympathy expressed for him by the other portion; yet it was but a few years until the "Boys in Blue," around their evening camp fires and on the march, sang with a right good will,

"John Brown's body lies mouldering in the grave,
But his soul goes marching on."

Then his triumph was complete.

A VISIT TO NEBRASKA IN 1662.

BY JUDGE JAMES W. SAVAGE.[Communicated to the Society.]

When, a few years since, a paper was read before this society,* containing some reasonable grounds for belief in the theory that Coronado, in his expedition to the mysterious kingdom of Quivira, reached the territory now embraced within the state of Nebraska, there was little foundation for an argument that the gallant and uxorious knight marched any considerable distance beyond its southern boundary. The relation of his patient and painstaking follower, Castaneda, and his own report, left him at the fortieth parallel of latitude, now the dividing line between the states of Kansas and Nebraska; and the only reason for supposing him to have prolonged his journey farther to the north was the difficulty of believing that so adventurous a soldier would have turned back until he was stopped by some natural obstacle at least as formidable as the Platte or the Republican river. From the sources of information then at hand therefore, the author of that essay, while, suggesting that he may have reached the Platte, was inclined to place Quivira south of that stream, and somewhere between Gage county, in this state, on the east, and Furnas on the west.

The recent publication, by Mr. John Gilmary Shea, of a manuscript† found in Madrid by the late Buckingham Smith, enables us to supplement the conjectures which were made in that communication, and perhaps to come a little nearer the exact location of a kingdom which has eluded the search of geographers for more than three centuries.

It is easy to understand that the daring Spanish cavaliers, with their ardor for adventure and renown, and the holy friars, no less brave, would not rest satisfied with the meagre fruits of Coronado's march. The Franciscan monk, John de Padilla, as we have seen,‡ returned to Quivira with a small party of followers, and materials wherewith to minister alike to the physical and spiritual wants of the subjects of Tatarrax, the king; but the natives being in no mood to change their

* See Transactions and Reports, Vol. 1., pp. 180-202.

† Penaloza's Expedition to Quivira.

‡ The Discovery of Nebraska, p. 39. Trans. and Reports I. p. 201.

religion, speedily put him in the way of obtaining the martyr's crown which he had travelled so far to seek.

Fifty-seven years after the journey of Coronado, in the year 1599, the Spaniard, Onate, made an effort to reach Quivira; but the accounts of his expedition are so ambiguous and indistinct that the point to which he penetrated cannot yet be very definitely ascertained. We gather from them, however, that he marched from Santa Fé, over prairies and by rivers of varying magnitude, some seven or eight hundred miles to a populous Indian city extending for several leagues. Here the cowardice of his followers constrained him to relinquish his undertaking and return to Santa Fé. Of him and his expedition we can only say, that he may have reached Nebraska, as, if he travelled his "two hundred leagues and a little further" in the right direction, he certainly did. But the obscurity and indefiniteness of his report forbid us to say more than that it was supposed at the time that he had advanced north of the fortieth parallel.

The passionate ardor of the Catholic clergy in the cause to which with sublime enthusiasm they had devoted alike their fortunes and lives, would have supplied us with more geographic material had the zealous fathers in their reports thought of or cared for such mundane matters as dates, courses, or descriptions. Several pious pilgrimages were set on foot to reach the heathen of this unknown region, but none of them has added much to our stock of information. One of these journeys is said to have ended some seven hundred miles from Santa Fé, upon the banks of a large and rushing river, whose terrors proved too much for their Indian guides, so that they were forced to return without having christianized any pagans. Another party had a happier fortune. They reached a nation north of Quivira, in the region now known as Dakota, and converted the tribe so suddenly and effectually that the venerable priests could only attribute the result to the direct and miraculous interposition of divine grace.

The expedition to which your attention is now invited is that of Don Diego, count of Penalosa, which took place in the year 1662. The life of this knight was marked by all the glitter, romantic enterprise, and vicissitude which so charmed the Spanish soldiers of the sixteenth and seventeenth centuries. Penalosa was not, however, himself, a Spaniard, but a Creole, that is a native of America of Spanish descent. Born at Lima in the year 1624 of quite illustrious ancestry, if we are

to believe his own somewhat turgid story, he became, at the immature age of fifteen, regidor of the city of La Paz; then alcalde and judge of the same; soon after a captain of cavalry, governor of a Peruvian province, and finally, by a judicious outlay of money, provincial alcalde of the city of La Paz and of the five provinces dependent thereon. At this point his upward career was checked for a little time by a difficulty with the brother of the Peruvian viceroy. This altercation, and the desire for seeing Spain, as he naïvely remarks, induced him to leave Peru. Probably the altercation, as he calls it, had more to do with his expatriation than any yearning after the country of his ancestors, for his flight ended in Mexico, where fortune once more smiled on him and turned her wheel. The viceroy of Mexico took him into distinguished favor, gave him high commands in his army, made him governor of several provinces, and bestowed upon him other conspicuous evidences of regard. At last, grave complaints being made to the viceroy against the governor of New Mexico, the latter officer was recalled from his command, and Penalosa was selected to rule in his stead. His commission as governor and captain-general of New Mexico was issued to him in the year 1660, when he had arrived at the age of thirty-six years. It was not, however, until the following year that he proceeded in a leisurely manner to the scene of his duties, halting two months at Zacatecas on his way, and another month at Parral, New Biscay, for equipage and provisions.

The position of a governor of New Mexico in those days, though important and dignified, was not without its difficulties. While, on the one hand, the command of the province was largely left to his discretion—while his distance, over a rugged and dangerous road, from the Mexican viceroy gave him an apparent independent freedom from controlment which the adventurous always covet, on the other, there was a dark and portentous shadow which never failed to hang over his return. The very remoteness and inaccessibility of his dominion, the unexplored regions which bordered it, the rumors of wealth and magnificence in larger cities to which Santa Fé was supposed to be the gateway, and the romantic fictions which for more than a century had inflamed the imagination of the covetous and domineering Spaniards, were constantly raising high expectations of each new governor, which as constantly were disappointed. His very isolation not unfrequently enhanced the precariousness of his position; for an enemy or rival

could spread in Mexico complaints and slanders, and poison the minds of superiors for a long time before any opportunity for refutation could be afforded. At the period of Penalosa's accession another element of danger existed in the Inquisition, whose officers had penetrated New Mexico, and, willing to bear a part in the temporal as well as spiritual control of that province, were not averse to occasional collisions with its haughty and high-spirited rulers. From the last inconvenience we shall presently see that the hero of this sketch was not able to exempt himself.

For years, therefore, each new commander had sought to signalize his administration by the accumulation of precious metals and gems, the annexation of new territory, the conquest of opulent cities, or, not least in order of importance, the discovery of the mythical land, shaded by stately trees, where golden bells were jangled by summer breezes; traversed by rivers where golden birds adorned the barges of royalty; the land where the commonest utensils were of beaten silver, and the poorest ate from golden plates and drank from golden beakers. It was a glittering and gorgeous dream from which, one after another, the luckless governors of New Mexico awoke to disgrace or inglorious obscurity. The Quivira of the Spaniards' fancy was never to be trodden by the foot of the explorer.

The count of Penalosa spent the first few months after his arrival at Santa Fé in making war upon the Apaches, then as now implacable and deadly foes of the white invader, in erecting several public buildings, and in founding one or two new cities. But these were little more than the ordinary routine duties of the captain-general of New Mexico. He felt that the fame which he had hoped to win from his command would elude his grasp unless he could report to his superiors more important exploits. He therefore set on foot his expedition to Quivira.

On the 6th of March, in the year 1662, when in New England and Virginia hardy colonists were laying the foundations for an empire which was destined, in less than two centuries, to extend over Quivira and New Mexico also, Penalosa marched in state from Santa Fé to explore the realms to the eastward and north, and to follow the tracks which Coronado had made one hundred and twenty years before. The composition of the expedition shows the fondness of its leader for luxury and pomp. There marched in his train a thousand Indians armed with bows and arrows, and fourscore Spanish knights of good

family and repute rode before them. Thirty-six wagons carried his provisions and munitions of war; six cannon, eight hundred horses, and three hundred mules accompanied the force. Two chaplains, with their vestments and materials requisite for the celebration of mass, added to the brilliancy of his array; while for his personal ease he had provided, besides horses, a commodious coach, a litter, and two sedan-chairs. Thus comfortably furnished, the count led his force in a northeasterly direction for three months, through pleasant and fertile prairies, "so agreeable," says the reverend friar, Nicholas de Freytas, one of the two chaplains, and the chronicler of the enterprise, "that not in all the Indies of Peru and New Spain, nor in Europe, have any other such been so delightful and pleasant." They admired, as had the soldiers of Coronado, the enormous herds of buffalo, the numerous and beautiful rivers, the luxuriant forests and fruit trees, the useful and fragrant plants, clover, flax, hemp, and marjoram, the partridges, quails, turkeys, deer, and elk, the oceans of roses, the great abundance of delicious strawberries, and, at a later period, no doubt, though they are spoken of in the same category, the plums and the huge clusters of grapes, whose flavor seemed to their thirsty palates finer even than that from the vines of their beloved Spain.

With their senses thus regaled, the adventurous band proceeded during the balmy months of spring, along their course, until their progress was impeded by a wide and rapid river. Here they encountered a war party of the Escanzaques nation, who dwelt along the fortieth parallel of latitude, and who represented themselves as bound for one of the great cities of Quivira, with whose inhabitants they were at war.* Joining this force, which numbered about three thousand warriors, Penalosa and his men marched westwardly for a day along the right bank of the rushing river, until it made a bend so that its current came from the north. Following up its course they marched northward for a day, and thereafter pursuing the sinuosities of the stream and guided by it, they proceeded on their course, until they perceived to the northward, beyond the river, a high ridge whose sides were covered with signal smokes, and understood that the natives were advised of their approach. Still pressing forward, for a time and distance left by the chronicler provokingly obscure, they at last halted at a spot where on the opposite side another beautiful river, flowing

* This was probably the tribe since known as the Kansas. Father de Smet found them still at war with the Pawnees in 1811.

from the ridge, entered the stream they had previously followed. Here they found themselves within sight of a vast settlement or city, situated in the midst of a spacious prairie, and upon both banks of the last mentioned stream.

This was the city, or one of the cities, of Quivira. It contained thousands of houses, mostly circular in shape, some two, three, and even four stories in height, framed of a hard wood which seems to have been black walnut, and skillfully thatched. It extended along both sides of this second river for more than two leagues, at which distance a third stream flowed into the second. Beyond this, the city again stretched out for many miles, just how far is uncertain, for the troops never reached its ultimate boundary. The plain upon which this huge village lay was some eighteen or twenty miles in breadth, and when the army came in sight of it and bivouacked over against it on the south side of the river, the vast number of inhabitants, men, women, and children, who came out to gaze at the invaders, excited the liveliest curiosity. Soon appeared a delegation of some seventy caciques or chiefs, splendidly attired, who welcomed Penalosa with many marks of love and respect. The gentle savages brought with them, as tokens of their good will, many gifts of their most precious possessions—furs of ermine, otter, and beaver, deer, and buffalo skins, pumpkins and beans, bread of maize, with great stores of wild game and fresh fish of various sorts. These they gave as an earnest of the hospitable reception promised when the Spaniards should cross the river on the next day.

Two of the chiefs who thus visited the count were detained by him, says the friar, with good words and better deeds, until far into the night. It is to be hoped that no more persuasive measures to secure their stay than fair speeches and presents were resorted to; but before morning, after long examination by the general and his chaplains about their country and its tribes, they became alarmed, found means of escaping, and recrossed the river to their city.

The pathetic story of cruelty, and rapine, and oppression, of which the histories of Spanish conquests are so full, and which are not absent from American annals of later days, had been retold during the night. Under cover of the darkness, the Escanzaques had, without the orders or knowledge of Penalosa (as the writer declares, and as perhaps, in the absence of any opposing testimony, we are bound to believe),

forded the river, fallen upon the peaceful dwellers of the city, and so ravaged, burned, and murdered, that at sunrise, when the general (who with some difficulty had also crossed the stream before dawn) encamped before the city, not a living soul was to be found within it. The timid and unwarlike natives who had survived the slaughter, had all fled.

The soldiers spent the day in extinguishing the flames, and in efforts to repress the fury of the Escanzaques. The next day they marched through the town, admiring the vast number of dwellings, the innumerable paths which entered the city from the highlands behind it, the fertility of the soil, which was black, strong, and covered with rich grasses, and the beauty of the scene, which from the city to the ridge seemed to them like a paradise. But their search for the golden birds, or bells, or rich dishes, or precious stones, was as vain as that of their predecessors had been; so that Don Diego, after sending a small force still farther on, who could report no end to the settlement, no new discoveries, and above all no signs of gold, concluded to return. The reasons he assigned for this sudden abandonment of the enterprise were that the pursuit of fleeing men would be fruitless, that there was no certainty that his huge, lumbering coach could find passage over the broken grounds before them, and that he had no orders to proceed farther. It is pretty evident from the nature of these excuses that when the hope of finding gold vanished, the count's zeal in the undertaking disappeared also. On the 11th of June, 1662, therefore, he turned his face southward, and after a journey without special adventure, except a sanguinary battle with his former allies, the Escanzaques, regained his post in New Mexico.

Such, so far as they relate to our special purpose, are the principal features of the narration of Father Nicholas de Freytas. The object of this paper is to show that the termination of Penalosa's expedition was in the state of Nebraska, not far from where now flourishes the city of Columbus, in that fertile and attractive region, along the borders of the Loup, which the novelist, Cooper, has celebrated as affording a last hunting-ground and a grave for his hero, Leatherstocking, which, at the cession to the United States by the Pawnees, in 1857, of their vast possessions, was retained by them as the dearest and most valuable of their spacious hunting-grounds, and which allured the experienced eye of the Mormon exile as he fled westward from civil-

ization, in 1856.* But before presenting in detail the arguments which seem to lead irresistibly to this conclusion, it may not be uninteresting to trace, in a few words, the life of the leader of the march to the end of his romantic career.

Penalosa was, so far as can be inferred from our scanty materials, a man of inordinate vanity, arrogant, high spirited, and supercilious. Upon his return to Santa Fé, he addressed to the Spanish crown a memorial of his journey, and awaited with impatient anxiety the response which he expected would add to his numerous self-bestowed titles that of Duke of Quivira.†

But he could not humble himself to the Inquisition, then asserting supreme authority in all the Spanish provinces, nor conciliate its officers. It was not long before he came into actual collision with them. Wishing, as he said, to check the tyrannical and extravagant flights of the commissary-general of the order, he was rash enough to place that officer in arrest and to keep him confined for several days in the palace at Santa Fé. As in New Mexico he possessed sufficient power to sustain himself, his temerity went for a time unpunished; but when, two years afterwards, he ventured into Mexico, the Inquisition, which could afford to delay chastisement, though never to pardon so glaring a breach of its authority, had him arrested, detained in prison for nearly three years, deprived of his governorship, and condemned to a fine which left him penniless. Nor was this all. On the 3d of February, 1668, that tribunal celebrated a special *auto-du-fe* at the convent of Santo Domingo, at which Don Diego de Penalosa, governor of New Mexico, was condemned to penance for irreverent language towards the priests' and lords' inquisitors, and certain wild freaks which seemed almost blasphemous. He came forth to walk in the procession of penitents, with a green candle in his hand, his hair carefully dressed, arrayed in a skirt of exquisite fineness, ungartered hose, and wide ruffles about his wrists of Flemish point-lace. Thus attired, says a writer of that day, he was an object of sincere compassion.

* The district now known as Nance county was the home of the Pawnees, until their removal to the Indian territory, in 1879. Within its limits the Mormons established, about 1856, a settlement, which they called Genoa, where they dwelt until they were driven out by the United States troops, at the request of the Indians.

† The relation of Freytas, doubtless prepared under the count's supervision, thus describes him: "Don Diego Dionysio, of Penalosa, Bricena and Verdugo, Ocampo and Valdivia, lord of the cities of Guarina and Farara, and their eleven towns, tributary knight vassal in the city of La Paz, provincial alcaide and perpetual ruler therein, and in the five provinces of its district, governor and captain-general of New Mexico, lawful successor and heir of the marquise of Arauco, the countship of Valdivia (province of Chili), the viscountship of La Imperial, and the marquise of Oristan, claiming to be marquis of Farara, and count of Santa Fe de Penalosa, adelantado of Chili and of the Great Quivira in the west of this new world of America."

With this indignity ended Penalosa's services to the Spanish government. He made some ineffectual efforts to obtain redress; but as the power of the Inquisition had become too great for his feeble opposition, he determined to seek more grateful and less superstitious patrons. Soon after, he appeared in London; but driven thence as he asserts by the persecutions of the Spanish ambassadors at the English court, he betook himself to France, where in 1682 he addressed a memorial to the French government, proposing the occupation of Texas, and the despatch of an expedition, of which he should be the commander, to co-operate with La Salle in the foundation of a French empire in the New World. His project seems to have been looked upon with some favor and carried out so far as La Salle was concerned; but for some reason the support of the government was withdrawn, La Salle was left to his fate in the Texan wilds, and Penalosa's schemes of power were again frustrated. He lingered four or five years longer in Paris, a wrecked, unhappy man, and died in that city at the age of sixty-three. Of his eventful career, his glowing ambition, his bold projects, his journeys, his quarrels, his successes, his disappointments, and his death, we have but these vague and unsatisfactory outlines. But there is some reason to hope that close investigation may yet bring to light further details of the life of a man who was certainly, whatever his weaknesses or his faults, a type of the brave and stirring western adventurer.

It may prove a dull task to examine with minute criticism all the evidences which point to the valleys of the Loup and Platte rivers as the location of the city which Penalosa visited; but the importance of the inquiry to those interested in the early annals of Nebraska will perhaps justify a somewhat searching and thorough investigation of the story of De Freytas. Ambiguous and desultory as his account is, a careful study of it enables us to fix upon a few ascertained localities; and a comparison of its statements with those of other explorers and with our knowledge of the country will, it is thought, serve to establish in the minds of impartial students the situation of the kingdom and city of Quivira beyond reasonable doubt.

In determining this point we can first assure ourselves that Quivira lay north-easterly from Santa Fé. This was the line of Coronado's march, as we are informed both by his own report and those of his lieutenant Jaramillo and the soldier Castaneda. Gomara, in his narra-

tive of the expedition, declares that the march was towards the north-east. The missionary fathers previously mentioned traveled in the same direction. Freytas constantly speaks of it as "the north-east land;" and the Indian guides always persisted that the route to it by way of Taos was shorter and more direct than that usually followed.

We are able to come somewhat nearer the spot by the certainty that it was north of the fortieth parallel of latitude. Coronado reported that he penetrated thus far to the north; and in this statement he was supported by the evidence of all who accompanied him. Penalosa, more than a century later, found the Escanzaques, enemies of the Quiviras, dwelling along that parallel, and ranging over the country northward. With them he marched north to attack the Quiviras. This statement, if true, proves incontestably that the habitations of the latter were above that line.

The distances travelled by the several explorers, while not always either definitely given or harmonious, all indicate that the region we are discussing was at least as far from Santa Fé as Nebraska. The length of Coronado's march has already been made a topic of inquiry in the paper upon his expedition read before this society in 1880, and it is unnecessary to say more about it here than that it appeared of sufficient length to have ended in this state. The march of Onate from Santa Fé in 1599 was, according to his account, upwards of two hundred leagues. The Spanish league being, as appears by the United States Ordnance Manual, 3.42 American miles, we may fairly suppose that he travelled between six hundred and seventy-five and eight hundred and fifty miles. Freytas, writing from Santa Fé his account of the expedition we are now considering, declares that "this north-east land, so populous and wealthy, begins one hundred and fifty leagues from here, and stretches to where the city commences almost as far again." In other words, he makes the distance of the chief city of Quivira from Santa Fé between two hundred and fifty and three hundred leagues; that is between eight hundred and fifty and a thousand miles.

Now by the "Map of the Territory of the United States, west of the Mississippi River, prepared by the authority of the Honorable the Secretary of War, in the office the chief of engineers," in the year 1879, the distance in an air line from Santa Fé to Columbus, Neb., is nearly six hundred miles. By rail the distance from Santa Fé to

the river Platte is nine hundred and eighty-six miles; and inasmuch as the Atchison and Santa Fé Railroad follows very closely the old and natural route so well known to travellers as the Santa Fé trail, it is not a violent presumption that all the early adventurers pursued for a portion of their journey this easy pathway. After making, then, liberal allowance for guesses, imperfect measurements, and exaggerations, we are forced to the conclusion that the reported length of the various marches confirms our hypothesis.

Another belief of the Spanish geographers with regard to the site of Quivira was, that it was nearly surrounded by the sea. This, while at first it may seem opposed to our view of the situation, affords on examination a powerful argument in support of it. "It is known by evident proof," says Freytas, "that the sea encircles and surrounds all that land in those four points,—east, north-east, north, and west." But this "evident proof" was manifestly only the stories of their Indian guests and captives; for we have abundant assurance that the Spaniards did not themselves reach any large body of water. That the unlettered topographers of the region, in attempting to trace for their visitors the course of the Missouri River, should, in their description of the largest stream they had ever seen or heard of, have conveyed the idea that they were speaking of the ocean, can be readily comprehended.* If it were otherwise, the savages were simply seeking to deceive, for there is no spot which Coronado or Penalosa could possibly have reached in their respective marches which is thus surrounded by salt water. Assuming, however, that by the word or sign which the Spanish cavaliers translated "sea," the Indians meant "great river," we can at once perceive that the proposed situation of Quivira would answer precisely to the description. From the site which is now suggested that majestic current can be reached by a journey, not long, neither to the north-west, north, north-east, or east.

Taking it for granted, then, that the metropolis of this vast kingdom of Quivira lay north-eastwardly from Santa Fé, our nearest absolutely ascertained point, at a distance of between six hundred and a thousand miles; that it was encircled by a stream or body of water from the north-west round to the east, and that it was watered by

* Mrs. Elvira G. Platt, the matron of the Indian school at Genoa, an accomplished lady who has lived among the Pawnees for many years, informs me, in corroboration of this explanation, that the name given by this nation to the Missouri means, "the miraculous water." Others define it "the medicine water." The word translated "medicine," or "miraculous," was applied to whatever was so far out of their experience or above their comprehension as to suggest the idea of divine power.

various rivers, as mentioned in the foregoing pages, let us endeavor, from the equivocal account we have, to trace out Penalosa's exact route.

The course of his march, though in one place it is spoken of as towards the east, was, as we have seen, in a north-easterly direction, and the first object to be identified is the wide, rapid, and beautiful river where they encountered their Indian allies, the Escanzaques. As this tribe dwelt along the fortieth parallel of latitude, and were at this time marching northward to attack the Quiviras, this river must have been north of the present state of Kansas. No stream answers to the description given and to the subsequent details except the Platte; and I am of opinion that they struck that river about where the Missouri Pacific Railway from Omaha to Hiawatha makes its crossing.

Along the banks of that stream they marched westward for a day, reaching a point not far from the present site of the attractive village of Ashland. Here the Platte, as we know, makes an abrupt bend, and for some twenty miles flows from north to south. The narrator's account is as follows: "From this point," that is, the spot reached by them after their first day's march with the Indians, "we directed our course to the north, following the river which drew its current thence, keeping the east on our right hand, and that day the army encamped on its prairies." This halt, if our conjectures thus far have been correct, was in Saunders county, opposite the city of Fremont.

On the next day they resumed their journey, still following up the course of the river, and after a march of fifteen miles, noticed upon a high ridge to the north frequent signal smokes by which the spies of Quivira were announcing the approach of strangers. This would indicate a point not far from the town of North Bend, fifteen miles west of Fremont, where the ridge which borders the valley of the Platte on the north draws near to that stream, and fairly answers to the description given by Freytas. It is at least doubtful if at any spot within a thousand miles of Santa Fé so many conditions of the problem presented can be satisfied as have already been met.

The narrative proceeds as follows: "Soon after we discovered the great people or city of Quivira, situated on the broad prairies of another beautiful river which came from the range to enter and join that which we had been following." It is to be regretted that these

words "soon after"* are so indefinite. They may indicate a march of an hour, a day, or a week. Indeed, as the account was manifestly written after the return of the force to Mexico, it may well be that the chaplain's own mind was not clear as to the precise distance. But the other features of the story can only be identified by admitting that this picturesque river coming from the range was the Loup. The distance from North Bend to a point on the Platte opposite the mouth of that stream is about thirty miles; not certainly a very long distance to the veteran troops who had then been in the field upwards of three months, and must have been inured to travel.

It has not escaped notice that the river up which the Spaniards had been marching, while it is spoken of as rapid and broad, was fordable. This, while it disposes finally of any theory that it could have been the Missouri, exactly describes the Platte. The latter is a stream as wide in many places as the Missouri, and nearly as swift; and yet there are few points where a ford cannot be readily discovered. The buffalo in their migrations were rarely compelled to swim its tide, and the older members of this society have not infrequently in early days driven their vehicles through its turbid and rushing current, at spots much nearer its mouth than our adventurers had now reached.

Let us now, therefore, cross the Platte with Penalosa and his men, and examine the features of the country to the north of it. After arresting the conflagration kindled by the implacable Escanzaques, the army, we are told, proceeded through a city whose buildings they numbered by thousands some two leagues until they came to a halt upon the bank of another stream which flowed through it, and into what we have called the Loup. If we have correctly traced the march up to this point, and its line was on the left bank of the Loup, this halt was probably upon either Lost creek or Looking-glass creek, little streams which flow into the Loup about eight or ten miles from the Platte.† "At this point," says the narrator, "the ridge or lofty range which ran along the right side of the city towards the north was distant from it some six leagues." This description corresponds fairly with the condition at the mouth of Lost

* Poco despues.

† Mrs. Platt is inclined to think that this was Cedar creek, which unites with the Loup at Fullerton; and it cannot be denied that the former is now a stream which would present more of an obstacle to an invading force than either of the rivulets mentioned. But two hundred years may have altered the bulk of these water-courses very materially; and, inasmuch as their position answers more nearly to the narrative, I have ventured, not without hesitation, to adhere to the statement in the text. Lost creek it must be admitted, at present hardly rises to the dignity of a stream.

creek, the valley of the Loup being at that place apparently some fifteen or twenty miles in width.

From this point northward, the army proceeded no farther. A small detachment of soldiers was sent to examine the town, but did not reach its northern boundary, and the men reported upon their return that streets and houses stretched far beyond the ultimate spot of their exploration. The city, according to these reports, must have extended along the borders of the Loup for a distance, upon the most moderate calculation, of not less than twenty miles.

Such are the evidences of the size and situation of the famous city of Quivira which are to be derived from the narrations of early explorers and the natural features of the country. They point so convincingly to the mouth of the Loup as the location of this mysterious and long-sought-for capital, that, even if we should discover upon the indicated site no traces whatever of ancient habitation or signs of human occupation, we could content ourselves with responding to criticism founded on the absence of such proofs, that no such remains have been detected at any other place which could possibly answer a single one of the conditions of this investigation. It would certainly not be strange if the lapse of more than two centuries, with their desolating wars, conflagrations, and tornadoes, should have utterly effaced all vestiges of the lofty structures of earth and wood, the skin garments, the pictorial records, and the frail implements and utensils of this primitive people.

Fortunately, however, for the advocates of the location now suggested, such evidences do exist in great abundance. From near where the Union Pacific Railway crosses the Loup about two miles from the Platte, for several miles north-westwardly along the margins of the former stream, have been found for many years, and by the careful observer may still be discovered, unmistakable traces of a once dense population. Prominent among these are the fragments of pottery. Time and the elements have reduced these frail memorials, in most instances, to so small a size that the shape of the vessels of which they formed a part cannot be ascertained; but a few utensils have been secured so nearly entire as to warrant the assertion that they correspond remarkably with those which are still occasionally brought to light in the vicinity of the Aztec Pueblos, of New Mexico. Mr. Eugene L. Ware, one of the civil engineers in the employ of the Union

Pacific company, and a zealous antiquarian, to whom I am much indebted for help in the preparation of this essay, while professionally engaged in the construction of the railroad now running up the Loup, was struck with the immense number of these potsherds which strewed the ground for miles. Many of the largest he secured; and a collection of them, made by him, is, or should be, now in the museum of the state university. The ornamentation of these pieces consists of lines and figures rudely indented in the clay, while plastic, by a stick or finger. In this respect they differ from the work of the modern Pueblo Indians, who usually, after baking or drying, draw with a brush their uncouth devices upon the surface. But they correspond, in a remarkable degree, with some of the more ancient specimens still to be found about the ruined cities of Cibola, which Coronado visited. A little fragment from the edge of a plate or bowl, shown me by Mr. Ware, so closely resembles a piece of similar size picked up near the deserted village of Pecos, that it is difficult to distinguish them.

Upon the prairie strewn with these shards are also noticeable several artificial mounds. If the people who reared these mysterious fabrics were, as it seems not improbable, of the Aztec race, the structures were perhaps (unlike the mounds of the Miami valley and the East) sacrificial altars, such as the *teocallis* of the city of Mexico and Cholula. Whatever their use, however, they mark the centre of a huge population, and belong to a period removed at least three centuries from our own time.

Whether the inhabitants of this city were of kindred with the race which Cortez found on the table-land of Mexico bears upon our inquiry only so far as it may show that the former were not of the nomadic tribes which then roamed at will over a large portion of the western prairies. But if we can convince ourselves that the Pawnees have for centuries dwelt upon the Loup,* have customs in common with the Aztecs, and have traditions of such a city as Quivira, a circumstance, however slight, will be added to the mass of proof already collected.

In 1673, only eleven years after Penalosa's visit, Father Marquette passed the mouth of the Missouri on his voyage down the Mississippi. He questioned the natives whom he found at the confluence of those streams, and from the information thus gained, and his own observa-

* There were four divisions or tribes of the Pawnees—the Tapages, the Republicans, the Grands, and the Skidis. The statements in the text generally refer to the last named.

tion of the country west of the Mississippi, prepared a map, which, after being lost for nearly two centuries, was discovered a few years ago in St. Mary's college in Montreal. Upon this map appear the Panis, a nation occupying the very position which we have assigned to Quivira.

When the French and English traders began to pass over the territory, the Pawnees were a warlike race; living mainly by the chase, and at first sight differing but little from that of their neighbors. But they had certain customs not known to other tribes. Prominent among these was the practice of offering human sacrifices as a religious rite. It is well known, of course, that all the Indians of the plains tortured and murdered their captives. Revenge and barbarity were in their eyes lofty and ennobling traits of character. But it is believed that the Pawnees were alone among them in regarding such cruelty in the light of a sacrifice, and in regularly practising it as a means of propitiating their deities. In the pampering of their victims prior to immolation, in the solemn festivals and processions on the sacrificial day, and especially in the tearing out of the still palpitating heart of the unhappy sufferer and the tasting of the flesh by the executioner, the resemblance to the Aztecs is extraordinary. I subjoin in a note at the close, for those whose sensibilities may allow them to read it, a description by Father de Smet of a Pawnee sacrifice, which may be compared with Prescott's narrative of similar rites by Mexican priests.

The traditions of the Pawnees are, that at a period so remote that details have been lost, their ancestors migrated from a land far to the south, and subduing the nations in the vicinity of the Platte, took possession of their territory and held it by right of conquest.

In their fondness for white magic or jugglery, also, the Pawnees resembled the inhabitants of Anahuac. Their medicine-men possessed apparently, the power of imbuing inanimate objects with life and motion; they shot arrows through their bodies and crushed in their skulls with tomahawks without harm; they planted corn in the earth and in a few minutes made it grow to maturity, and performed many such adroit tricks and cunning sleights as the followers of Cortez admired in Mexico.

Their lofty dwellings, three and four stories in height, their gentle welcome to the white invaders, and their offerings of food and orna-

ments, remind us of the people of Montezuma and the cities of Cibola; and, in short, so many features and habits disclose this similarity, that it is difficult to believe that the Pawnees of 1662 were not the descendants of Aztec ancestors, changed by climate and surroundings, but still retaining many of the traits of their forefathers.

This being the case, it is easy to see how the Spanish conquerors heard on all sides the fable of the opulent city in the northeast, which, in its luxury and splendor, rivalled the dreams of eastern potentates, and which excited the cupidity of adventurers, and the religious zeal of pious ecclesiastics.

It may be added, finally, that all who have sojourned long enough among the Pawnees to become familiar with their oral records, have noticed their tradition of a once great city upon what was from 1859 to 1876 their reservation. They still boast of its glories, and believe in its magnificence. Loath to leave its site, when a Christian civilization drove them southward, they yearn in their new home for its familiar scenes, and a few remnants of the tribe yet linger within its loved boundaries.

At the risk of incurring the censure of tediousness, all of which, like Dogberry, I could find in my heart to bestow on this topic, I venture to recapitulate the principal indications which serve to establish the site of Quivira on the Loup River near Columbus.

It was situated north-easterly from Santa Fé.

Its distance from the latter city was eight or nine hundred miles.

It was north of the fortieth parallel of latitude, the southern boundary of Nebraska.

Inasmuch as none of the narrations of the several expeditions to Quivira speak of so formidable an impediment to a march as the Missouri would have formed, a fair presumption rises that the city was west of that river.

It lay north of a wide but fordable stream, upon an affluent of it, which in its turn received another water-course flowing through the town.

All these conditions are fulfilled upon the Loup, at a place where are found many vestiges of an ancient city.

The natural features of the surrounding country correspond with the relation of De Freytas.

At the period of Penalosa's march, and for two hundred years after-

wards, the territory was occupied by the Pawnees, a nation having many traits in common with the Aztecs.

Traditions of the Pawnees confirm our theory.

No other spot has been suggested which will at all conform to the descriptions of the several explorers.

If these evidences do not amount to a demonstration, we can at least say, with Gibbon, that "though each of the proofs may be singly weak and defective, their concurrence has great weight." I have, however, purposely reserved for the close of this monograph an argument, crowning and conclusive to the fortunate homesteader along the fruitful, black-soiled banks of the Loup and its tributaries, and not without its force to dwellers in less favored parts of this state. "There were on this journey," explains the chronicler in a burst of enthusiasm, "men of divers nations of Europe, Asia, Africa, and America; and all with one voice declared that they had never beheld a land so fertile, fair, and agreeable as that;" and in the common sentiment, all that has been hitherto conquered and colonized under the name of America is unlovely in comparison with what is comprised in this new portion of the New World.

APPENDIX.

The description of the Pawnee sacrifice, referred to in the text, is as follows: "The Pawnees are in some respects true believers with regard to the certainty of a future life, and display a pharisaical punctuality in the observance of their superstitious rites. Dancing and music, as well as fasting, prayer, and sacrifice, form an essential part of their worship. The most common worship among them is that which they offer to a stuffed bird, filled with herbs and roots, to which they attribute a supernatural virtue. They protest that this Manitoo had been sent to their ancestors by the Morning Star, to be their mediator when they should stand in need of some particular favor. Hence, whenever they enter upon some important undertaking, or wish to avert some great evil, they expose the Mediator bird to public veneration; and in order to render both him and the Great Manitoo (or Spirit), by whom he is sent, propitious to them, they smoke the calumet, and blow the first smoke that issues from it towards the part of the sky where shines their protectress.

"On the most solemn occasions, the Pawnees add a bloody sacrifice to the oblation of the calumet; and according to what they pretend to have learned from the bird and the star, the sacrifice most agreeable to the Great Spirit is that of an enemy, immolated in the most cruel manner. It is impossible to listen without hor-

ror to the recital of the circumstances that attended the sacrifice of a young female of the Sioux tribe, in the course of the year 1837. It was about seed-time, and they thus sought to obtain a plentiful harvest. I shall here give the substance of the detailed account which I have given of it in a former letter. This young girl was only aged fifteen; after having been well treated and fed for six months, under pretence that a feast would be prepared for her at the opening of the summer season, she felt rejoiced when she saw the last days of winter roll by. The day fixed upon for the feast having dawned, she passed through all the preparatory ceremonies, and was then arrayed in her finest attire, after which she was placed in a circle of warriors who seemed to escort her for the purpose of showing her deference. Besides their wonted arms, each one of these warriors had two pieces of wood which he had received at the hands of the maiden. The latter had, on the preceding day carried three posts, which she had helped to fell in the neighboring forest; but supposing that she was walking to a triumph, and her mind being filled with the most pleasing ideas, the victim advanced towards the place of her sacrifice with those mingled feelings of joy and timidity which, under similar circumstances, are naturally excited in the bosom of a young girl of her age.

"During their march, which was rather long, the silence was interrupted only by religious songs and invocations to the Master of life, so that whatever affected the senses tended to keep up the deceitful delusion under which she had been till that moment. But as soon as she had reached the place of sacrifice, where nothing was to be seen but fires, torches, and instruments of torture, the delusion began to vanish and her eyes were opened to the fate that awaited her. She burst into tears; she raised loud cries to heaven; she begged, entreated, conjured her executioners to have pity on her youth, her innocence, her parents; but all in vain; neither tears nor cries nor the promises of a trader, who happened to be present, softened the hearts of these monsters. She was tied with ropes to the trunk and branches of two trees, and the most sensitive parts of her body were burnt with torches made of the wood which she had with her own hands distributed to the warriors. When her sufferings lasted long enough to weary the fanatical fury of her ferocious tormentors, the great chief shot an arrow into her heart, and in an instant this arrow was followed by a thousand others, which, after having been violently turned and twisted in the wounds, were torn from them in such a manner that her whole body presented but one shapeless mass of mangled flesh, from which the blood streamed on all sides. When the blood had ceased to flow, the greater sacrificator approached the expiring victim, and to crown so many atrocious acts, tore out her heart with his own hands; and after uttering the most frightful imprecations against the Sioux nation, devoured the bleeding flesh amid the acclamations of his whole tribe. The mangled remains were then left to be preyed upon by wild beasts, and when the blood had been sprinkled on the seed to render it fertile, all retired to their cabins, cheered with the hope of obtaining a copious harvest."—*Narrative of a Year's Residence among the Indian Tribes of the Rocky Mountains*. By P. J. De Smet, S. J., 1843.

FORTY YEARS AMONG THE INDIANS AND ON THE EASTERN BORDERS OF NEBRASKA.

BY REV. SAMUEL ALLIS.

I was born in Conway, Franklin Co., Mass., Sept. 28, 1805. My parents were members of the Congregational church of that place, Rev. John Emerson, pastor.

I was dedicated to God in baptism at the age of five years, and like most in those days, raised to honor my parents. I was catechised by my mother on the Sabbath, and taught to keep it holy. I was raised to industry and good morals, for which I have been ever thankful. My educational advantages were limited, consequently, should this come before the public they will not expect much that will interest them. I shall endeavor to give a short history of what has transpired during my life of seventy years, especially since my stay in the Indian country and on the western frontier.

In my father's family there were eight children, five boys and three girls. I was the sixth of the family. Four of us at this date, 1876, are living. At seventeen years of age I went to live with the Hon. Phineas Bartlet, in Conway Center, to learn the saddle and harness trade. I stayed with him till I was twenty-one, and sat under the preaching of Rev. Edward Hitchcock, afterwards president of Amherst College. After this I resided six months in Williamstown, Mass., where I worked at my trade. I was there under the influence of good society and religious privileges. Rev. Dr. Griffin was then president of Williams College. While there I thought I obtained a hope in Christ. From there I went to Troy, New York, and worked sixteen months with a Quaker friend by the name of Williams. Being among strangers and not having united with the people of God, I got somewhat back into the world, but did not give up fully my hope in Christ. I then went to Ithaca, New York, and commenced work with a Mr. Kirkum, a good old Presbyterian. I worked for him and others until I left for the west. While in Ithaca I united, for the first, with the Presbyterian church under the charge of Dr. Wm. Wisner, who since died at his son's, at Cedar Rapids, Iowa.

In the winter of 1834 the church of Ithaca were desirous of raising funds to support a mission among the Indians, and consequently made known their object to the A. B. C. F. M. The board approved and accepted their proposition, and found a Rev. John Dunbar who was willing to go. He came to Ithaca, and with Rev. Samuel Parker and myself as assistants, was fitted out by the church under the patronage of the above named board of missions. We left in the spring of 1834 with instructions to cross the Rocky Mountains, destined to the Flat-heads or Nez Perces. We proceeded by steamboat down the Cayuga Lake to the Erie Canal and took a packet boat for Buffalo, then took a steamer on Lake Erie. The wind blowing very hard, the captain became alarmed for the safety of the crew and stopped at Salem. We there took stage across Ohio. About three o'clock at night before we reached the Ohio river, it being a dark night and having a drunken driver, the stage upset, cutting a bad wound over my left eye. I tied my handkerchief over it. We soon got to a hotel where we changed horses and the driver for a sober one. We proceeded on safely and arrived at Beaver on the Ohio river about sunrise. We breakfasted and took a boat for Cincinnati. Here we stopped the Sabbath, went to church and heard Dr. Lyman Beecher, who was then president of Lane Seminary, Walnut Hill. Harriett Beecher Stowe's husband was a professor.

On Monday, took a boat for St. Louis; when we arrived there we found that the traders for the mountains, whom we intended to accompany, had gone. Ascertaining from the agent for the Pawnees that there was a mission among that tribe, after conferring together and with the Indian agent, we decided that Rev. Parker should return by the way of Mackinaw, see a Mr. Stewart who was agent for the Hudson Bay Company, and get a reinforcement the coming spring in season to cross the mountains. Rev. Dunbar and myself proceeded on to the Pawnees. After conferring with the Pawnee agent we found we could not effect anything until the coming fall, when he would meet us with the Pawnees and make known our business. We proceeded to Fort Leavenworth and summered there, at Liberty, Clay Co., Missouri, and among the missions of the Kickapoos, Shawnees, and Delaware Indians. Their agent was Major Cornings, a good agent, who retained his office under the government some twenty years, and had great influence with the tribes in his agency. The mission breth-

ren treated us very kindly while we were there. Our time was agreeably spent in learning the Indian character, customs, and manners.

At Liberty we spent some time and enjoyed the hospitality of Col. Doniphan, Mr. Morse, merchant, and Rev. Zantis, a Presbyterian minister. This was the spring after the Mormons were driven out of Jackson county, Missouri. I saw three or four families camped by the side of a large log with loose boards to shelter them from the winter storms, and dependent upon the hospitalities of Clay county people. I was at a meeting in Clay county court house between the Mormons and Jackson county citizens. I heard Joseph Smith make a speech. Col. Doniphan and Rev. Zantis took the part of the Mormons. Probably both parties were to blame, but many of the Jacksonites were desperadoes. I came very near being mobbed myself in going from the Shawnee mission to Liberty. If the Mormons had not been so persecuted formerly, probably they would not have become so numerous. Persecution is calculated to build up any religious sect.

We spent some time at Fort Leavenworth. I had a letter of introduction to Major Thompson, from a nephew of Mrs. Thompson of Ithaca. We were kindly received by Major Thompson and other officers of the fort, also Major Morgan, sutler. Major Thompson commanded a regiment of infantry, and was afterwards killed in the Seminole war. He was superseded by Col. Dodge, who commanded a regiment of dragoons, and was appointed provisional governor of Wisconsin, also elected United States senator. His son, A. C. Dodge, was also senator from Iowa, his colleague, Senator Jones, and Hon. Bernhart Henn, representative—the first congressional term of Iowa.

The Kickapoos in those days resided near Fort Leavenworth. The prophet's band had a sort of catholic form of worship. They would meet on the Sabbath for worship, and the prophet would preach in their language. When they broke up, they would form in a line and commence marching in single file three or four times around, saying or singing their prayers, which consisted of characters cut on a paddle, at the same time shaking hands with the audience as they passed by. The characters represented words. As they left they would repeat those prayers till they got to their Father's house or heaven. Their house was marked at the top of the paddle. I had it on paper, but lost it. They had three or four correctors, who carried whittled hickory sticks about the length of a raw hide. The tribe would meet on Fri-

days and confess their faults, and receive three or four cuts by those correctors, according to the magnitude of their crime.

There was a French trader by the name of Pensano, who traded with the Kickapoos. His trading house stood where Weston, Missouri, now is. Jos. Rubideau and sons traded with the Iowas, and a small band of the Sacs and Foxes. His post was where St. Joseph now is, it being named after him. In those days there were plenty of deer, wild turkeys, prairie chickens, raccoons, squirrels, and other small game and abundance of bees. White settlers, in the spring of 1834, just commenced marking claims at the Nodaway river. At that time there were no settlements above Clay county, Missouri. Some two miles above Rubideau there were a few houses at a place called Jimtown. All of the country above Clay county has been settled up since.

After spending the summer as I mentioned before, at and near Fort Leavenworth, we proceeded up to Bellevue, which was the agency for the Omahas, Otoes, and Pawnees. There we met the agent with the Pawnees in council. When he made known to them our object, they appeared much pleased that we came among them to teach them and their children, and teach them the truth of the Great Spirit, for their minds are dark. After council with them, one of the chiefs of the Loup band wished one of us to go with him to his people, to which we consented. Rev. Dunbar went with the Grand Pawnees, and I with the Loups, or Wolf Pawnees. They are divided into four bands, Grand Pawnees, Pawnee Tappags, Pawnee Republicans, and Pawnee Loups. The latter band speak a different dialect from the others, that is, different pronounciation of words, and different names for some things, but their language is similar. The Arikarrees upon the Missouri river, near the Mandans, speak a dialect similar to the Pawnees. The Otoes, Missouries, and Iowas speak the same. The Omahas, Poncas, Kaws, and Osages speak a similar language.

After remaining three or four days at Bellevue, Nebraska, we separated, Rev. Dunbar going with the Grand Pawnees, and I with the Pawnee Loups. These were a delegation of the tribe who came to Bellevue to council with their agent, and receive their annuities. Our first camp was at the Fur Company's fort, about two miles above the present city of Omaha. Major Pitcher, in charge of the post, politely invited me to the fort to partake of his kind hospitalities. I declined the offer, knowing there must be a first time of Indian campment.

This was the first time I ever slept on the ground, and the novelty of it prevented sleep, but I had full confidence in my host and red travelling companions, although I knew nothing of their language.

Our second camp was near the Elkhorn river. I was awakened about three o'clock in the morning by the Indians hurrying to saddle up and leave camp, as the prairies were on fire. This was the first sight of the kind I ever witnessed. I could see by their movements that we were in danger. All were hurrying to pack their ponies, and the reader can readily imagine something of the fix I was in, for I had two horses, a saddle and a pack horse. I do not often get excited, but have to acknowledge I was at this time. My host was true to me in assisting me to get away. I was as awkward in packing a horse as a monkey would be running a threshing machine, but I soon learned the art perfectly. The old chief deputed two young Indians to assist me, and even held my stirrups, as if I had been General Sherman, or some other noted general. They have often talked and laughed at my first prairie experience, but I have since, for six months at a time, slept on the ground, without seeing a white man's house. When I was once mounted I had to thank the good Lord for my deliverance. On that same trip, another party camped on the Platte bottoms; the fire surrounded them, and burned to death four Indians and several horses. I have several times been exposed to prairie fires, and sometimes had to fight to my utmost ability. I could relate many instances of great destruction of life and property among the traders and freighters from this cause.

The third night we camped on the banks of the Platte River. There I learned my first Pawnee word—the name of the moon—and began to become acquainted with the Indians. Mine host, his braves, and deputies took great pains to entertain me. The fourth night we arrived at the village. The chief introduced me to his queens—he had three—also to his children, six in number. As soon as I was seated the old queen placed before me a wooden bowl of buffalo meat and a dish of what the French trader calls bouillon, or the soup that the meat was boiled in, with a buffalo horn spoon. I had scarcely finished my bountiful meal before I had an invitation to dine with one of the members of the cabinet and was escorted to his wigwam with great pomp, my guide having painted his face to cover the dirt and put on his new robe. There I again had introductions to the

squaws and children. I soon had several invitations from the cabinet officers, and if I could have conversed should have been as proud as any foreign minister. Having been feasted to my heart's content I retired to rest on the best in the lodge, a pair of blankets, a robe, and a deer skin pillow filled with deer hair, which served as pillow and cushion both.

The next day they were busy distributing their goods and getting ready for their winter's hunt. I was sent for to go to the trader's lodge. There I found three Canadian Frenchmen: Laforce Pappan, Francois Guittar, and a waiter by the name of Piere. They were in the employ of Pierre, Chateau & Co., of St. Louis, who owned the trading post which I have mentioned on the Missouri River, above Omaha city. I felt somewhat relieved, for although they spoke broken English I could understand them. One of them, F. Guittar, is still living in Council Bluffs. After we started on the hunt I was separated from my French friends and did not see them until Christmas. During this time I had no alternative but to learn the Indian language. I went at it in earnest, learning the names of things, and soon got so as to put words together and connect sentences.

Christmas came and I was spared to meet my French friends again. We got up at the chief's lodge, in which Mr. Pappan traded, a dinner of buffalo sausage meat, fried fritters, and coffee. The women of the lodge also added to our sumptuous feast by their cookery. I trust I did not forget the object for which that day should be celebrated. I shall never forget that day, separated from home, Christian friends and associates, but I trust God was with me. I had solemn reflections of the past, present, and future, and pleaded to Him who held even the destinies of the poor heathen, and asked him to enlighten them with that knowledge which will make them the heirs of eternal life.

During the winter my time was engaged in various pursuits, learning the language, hunting buffaloes with the Indians, taking items in cooking, drying meat, dressing robes, and other employments, going to feasts, attending powwow balls, concerts, and medicine feasts, from all of which I could learn something useful. When one is called to feast they consider it is all his or hers they invite one to. In order to please you must take to the lodge in which you live all which you cannot eat, consequently I have carried many buffalo tongues, ribs,

and other dishes to my boarding house or lodge. They watched, and some young miss or boy would meet me with a smile and receive the bounty, therefore they are glad to have one feasted abroad often. When I went buffalo hunting with the Indians they would give me tongues and ribs as presents, which were always agreeable to my hostess.

They have soldiers for the buffalo hunt, appointed by the chiefs, whose duty is to keep order. They keep young men and women from the buffalo towards the village, lest they frighten the buffalo away. If any is caught in the direction of the buffalo, or go hunting without a general order from the chiefs, he gets a severe flogging. When the order is given for a hunt they prepare and go together, the soldiers taking the lead. When they get near the buffalo they dismount and prepare for the chase. They again mount their ponies, the soldiers still leading till they are discovered by the game, when the soldiers give the word "go," and then everyone for himself. Those who have the fastest horses, and are the most expert with the bow and arrow, kill the most game. They often make a charge on a herd of ten or twelve hundred, killing four or five hundred at one "surround." An Indian knows when he shoots the buffalo in the heart; he often does it at the first shot. He rides after another and so on until the game is scattered beyond reach. They then look up their game. Every Indian knows his own arrows, and seldom has any disputes in this respect. If the Nimrod finds a footman skinning buffalo he looks on like a lord, and gives the poor man half of the meat but reserves the skin. In this way the poor get meat for their families. Some Indians kill as many as three or four at one "surround." When he finishes he puts for home, not waiting for the others. The last ones on the ground are in danger of the enemy, and have been attacked in this way by the Sioux. When they commence a chase there are no wolves in sight, but before they leave the ground the coyotes are running about like dogs for the spoils.

Now comes the cutting and drying the meat, feasting, making medicine feasts, etc. The women cut and prepare the meat, dress the skins, and make moccasins. The men can and do make moccasins while on the war path. The women get most of the wood and water and do most of the drudgery, while the men kill the game and the boys take care of the horses. They often get scoldings or whippings for neglect

in their duties. There are more broils, jealousy, and family quarrels caused by horses than all other troubles combined. The horse frequently causes separation between man and wife, sometimes for life.

The Indians are great gamblers, especially the men and boys. The women sometimes gamble in small articles when they get time. The men go it largely, from a horse down to a butcher knife. They have three or four ways of gambling similar to billiards, using the ground for a table. They receive one benefit from it, that is exercise.

They are great for feasting. I have often been called to twenty or thirty feasts in one day, perhaps that is the cause of my being such a great eater. I acquired the habit while with them on their hunts. They eat several times a day when they have plenty, and when they have it not, fast without complaining. The most delicious dish with them is the young taken from the buffalos they kill; the younger the better—the more tender. Besides the buffalo they kill elk, deer, bear, beaver, otter, raccoons, badger, and other small game, and sometimes dogs when they get short of food. I partook of a dog feast once and it would have eaten well if I had not known what it was. In the spring and fall they dig large quantities of wild potatoes that grow in the sand among the willows. These have often kept them from starving. They raise quite a quantity of corn, beans, pumpkins, and squashes.

A long time before the white man brought hoes, axes, knives, etc., among them they used flint rocks for axes, knives, arrow points, etc.; the shoulder blade of the buffalo for hoes; and made stone ware for kettles. Some of the poor old squaws used those pots after I went among them. Some used dogs for hauling their baggage by tying two poles, about eight feet long, at one end over the dog's neck and two cross sticks behind the dog, forming a litter, then place a pack of seventy or one hundred pounds, according to the size of the dog. These animals travel with the caravan of some two thousand souls, besides horses, mules, and jacks. In crossing a stream some of the important Indians would pitch a dog, that happened to be in the way, heels over head, pack and all, which would cause a cry among the canines, answered from all sides by the wolves, and causing many ejaculations from the old women against their lords. At some of their old places that had been deserted I have found relics of pottery, knives, arrow points, and other stone curiosities that were used many years before.

They are very apt in sleight of hand, such as swallowing sticks,

knives, arrows, etc. They will also let a person shoot a gun at them but are careful to load it themselves.

They have medicine men as doctors, priests, and so on, who practice their deceptions on the majority of their people. These old humbugs rank with chiefs and braves and control most of the tribe as they please. They are initiated into the order while young and trained to practice deception. I do not know that they have a high priest who alone enters the holy of holies once a year; but they have priests who alone handle their sacred oracles, and the common people are not permitted to enter such places while they are in session. They have altars and burn the heart and tongue of some animal in devotion to the Great Spirit. Every priest has a sacred bundle made up of a variety of nonsense, consisting of the skins of eagles, hawks, owls, cormorants, woodcocks, and a variety of small birds which are considered as war birds; also skulls of panthers, wild-cats, and other animals; medicine pipes and arrows taken from their enemies in battle, or presents from other tribes in peace parties. Arrows and pipe stems are tied on the outside of the bundle; the small birds are stuffed and enclosed in a buckskin bag with a draw string around the neck, the head sticking out. The arrows have killed some of their enemies and many have been handed down and preserved for generations.

When a party goes to war or on a friendly visit, before leaving some priest makes a feast and the warrior* attends. The priest fills a sacred pipe, consecrates it, and ties a piece of skin over the bowl. The warrior takes it with him for success. If on a friendly visit he presents it and it is accepted and they smoke the pipe together. The peace is good. They exchange pipes and presents, receive goods, horses, etc.

When they go on the war path they have two objects in view, to kill, and to steal horses; but they generally prefer stealing without killing, as they do not endanger themselves so much as by killing.

When they go on the calumet dance the Indian adopts a son in the tribe to which he goes, makes a bundle of goods worth from twenty to one hundred dollars, presents them to his adopted son. His son's friends are invited to the bale of goods and each takes a blanket, shroud, or some other article, and gives a horse. In this way one often gets from ten to twenty horses for thirty or forty dollars, worth of goods.

* "Partisan" in the copy of original manuscript.

We returned in the spring to their permanent village, not having made a good hunt on account of the Arickarees being in their country, traveling above them, consequently driving off the buffalo. The home of the Arickarees is upon the Missouri river above the Mandans as I mentioned before, and they speak a similar dialect. They came down on a visit. They are bad Indians, and the Pawnees were glad to get rid of them. They are a very superstitious tribe and often cut their arms and breasts as acts of mourning, to appease the Deity. When Gen. Harney made a reconnoissance up the Platte in 1835, the Arickarees got wind of his coming. They were then camped at the forks of the Platte and left the day before the soldiers arrived. The latter found a bundle tied to a pole with an Indian's finger wrapped in it. What their object was no one could tell.

They relate a story of a beautiful young Arickarce girl in their tribe to whom several young Indians made proposals of marriage by offering horses and other presents, all of which she rejected. At length one young Indian by improper advances succeeded in seducing her. After an act of mourning she from day to day frequented a certain bluff, a little dog accompanying her. Finally she and the dog became a monument of rock and are there to this day. I leave the reader to believe this or not. I do not, but relate the Indian story as it was told me. Such are their superstitions, which they are full of, but useless to relate.

The condition of the wandering tribe is such there is little hope of benefiting in any way their spiritual condition; but we should not give up the hope, for we are commanded to go into all the world and preach the gospel to every creature.

They are trained to kill and steal from each other, and it is difficult to make permanent peace, when they do, it is only for selfish purposes and they often break the peace no matter how sacred. They have frequent alarms of the approach of their enemies which are often false. They live in constant fear, yet bring much of it on themselves. Most of the tribes kill and plunder for the sake of honor and distinction; the more scalps an Indian can count the greater the man in their estimation. As a mark of distinction, when a man can wear a pole-cat skin on one knee and an otter on the other with hawk bills fastened to the tails of the skins he feels as grand as a lord.

Most of the chiefs inherit their chieftainship, hence they are nu-

merous, but the majority have little influence. Some of their best chiefs are made so by their agents. They are like the white man, crafty to gain distinction, but are more honest than our politicians, for they do not rob and plunder the government—had rather steal from each other.

They are more hospitable than we are. If a white man goes among them they do not wait for him to beg, but set before him the best they have to eat, sometimes asking for tobacco, for they know it comes from that source. If we go among them they will divide their last meal without stopping to see if we are going to pay for it.

They returned from their summer hunt the last of September, 1835, with a large quantity of dried buffalo meat; put on the kettles and greased the door posts. Here could be seen feasting in earnest. Their feasts consist of meat, corn, beans, and pumpkins, drumming and pow-wow-ing, day and night. If a person was not used to their noise he could not sleep. Their corn crop was good, and as they had plenty to eat they enjoyed it hugely.

Their permanent lodges are in shape of a large coal pit except an entrance that projects out some ten feet; five feet wide and the same in height. They build round with two tiers of large forks, the inner forks the higher, with strong poles in the forks; then long poles upon top reaching to the center of the lodge with small willows tied cross-wise with bark to the poles; and covered with hay and dirt to the depth of six or eight inches, a round hole cut in the center for the smoke to pass out. But some of their lodges smoke so badly that a person gets a good share of the smoke before it passes out. The fire place is made in the center of the lodge by digging a circular hole in the ground four feet in diameter and six inches deep, with forks for a pole to hang kettles on. Some of their largest lodges are fifty to sixty feet in diameter, the entrance usually facing the east, though in what consists this singular superstition I do not know. The berths or beds are neatly built in a hollow circle at the back of the lodge, two feet high, with willows put upon forks. The partitions between the berths are built light of small willows or flags; the front built in the same manner, with a hole in the center large enough for a man to crawl into. A place is reserved in rear opposite to the entrance. This has no front partition but is left open for their guns, bows and arrows, whips, and for their sacred bundle, buffalo skulls, and other sacred relics. This

was my berth or bedroom. They often put much before the old skulls and say they eat it when they know that the hungry dogs devour it.

I will now give a description of their skin or travelling lodges. These are built of dressed skins from their summer's hunt that are useless for robes. They take the hair off and dress them soft for lodges, except a few that they leave for parfleth, for meat bales, corn bags, and moccasin soles. Their lodge skins are dressed similar to elk or deer skins, sewed together with sinew in such a shape as to form a hollow circle. The largest contain as many as sixteen to eighteen buffalo skins, and are set up with long, straight, peeled and seasoned poles. When they are on the move these poles are tied three or four together on each side of their ponies, fastened below the packs, and drawn with one end dragging on the ground. The ponies drag these poles, besides carrying two bales of meat, weighing eighty pounds each, or four bushels of corn, and in addition to this, perhaps, two kettles, pans, and other traps, and perhaps a papoose and two or three pups.

Soon after we got to the village, I started with Brother Dunbar and some sixteen Indians for Fort Leavenworth. We went for our mail, and on other business, and the Indians for goods. The first night we camped on the fork of the Big Blue river. Here we found some excellent wild plums. The second day about three P.M., we arrived at the Big Nemaha, where one of the chiefs killed a yearling elk, also found a bee tree—cut the limb off with my hatchet, and got about two gallons of honey. We stopped for the night, of course, and devoured the elk and honey. Here we met with two Frenchmen, and had jolly times, feasting and smoking—in the latter of which I never indulge.

Next morning we started on our journey, and camped on Salt Creek—a little stream near the fort; went into the fort in the morning. We stopped three days, and started back by way of Bellevue; stopped a day or two there, then left for the village, and arrived after fifteen days' absence. We found the women busy harvesting their crops and preparing for the winter hunt.

When they go on their hunt they take several sacks of sweet corn and beans, dry corn for mush, dried pumpkins, dig a quantity of wild potatoes—they grow in abundance up the Platte bottoms—these they boil, peel, and dry, and cook with dried pumpkins.

They made a good hunt in the winter of 1836, killed buffalo, also some elk and deer, at the head of Grand Island. There were plenty

of large rushes on the island in those days, and the deer were very fat. They also caught plenty of beaver and otter that autumn, it being warm.

They had a skirmish with the Sioux, but had no success from the fact that there was an Indian with the Sioux who was once a Pawnee. He had been killed in battle by their enemies, and left on the battlefield to be devoured by wolves and ravens. The wolves finally gathered his bones together, and restored him to life, when he went among other tribes, on account of the barbarous treatment of his own people in leaving him to be so devoured. And whenever he came to war with the enemy it was useless for the Pawnees to fight, for their guns would flash in the pan, and their bow-strings break. His name was Pahocatawa—I do not know the meaning. He will probably exist as long as there is a Pawnee; they report having seen him several times. They also say that if an Indian or squaw is scalped alive in any tribe, he or she is discarded, and goes to live with a scalped tribe under ground—probably meaning dugouts.

An old Indian told me once he knew one of his tribe to whom appeared a beaver, that wanted him to give the beaver his three sons—for he had three—to go and live in the beaver's family; by doing so he would prosper, and have good success through life. He refused, for he loved his sons much. The animal then asked for two, but still he declined, when the beaver left apparently very much dissatisfied. It bore heavily on his mind for some time after the beaver left, and he began to have bad luck. Finally he could not sleep nights, so he—after consulting the Great Spirit—made up his mind to accept the proposition in part. He was satisfied that the Great Spirit was displeased with his former decision, for he had had bad luck ever since the beaver left. The proposition was agreed to by the beaver, and he returned with the messenger, and took one of the sons. The boy lived several years with the beaver tribe, and finally returned to his father a fine looking fellow—I believe many Indians would improve their appearance in a similar way. I do not know how far that father's faith would compare with Abraham's in offering up his son Isaac, but it would appear from the history to be more selfish. I did not learn, but probably, like Nebuchadnezzar, he ate grass and his finger nails grew like eagle's claws.

I could mention other similar superstitions which appear foolish, and

might not interest the reader. The beaver story reminds me of one thing I have observed. They appear to be divided into clans or families: the Buffalo, Elk, Deer, Wolf, Bear, Beaver, Otter, Eagle, Owl, Hawk, etc. Although they intermarry from one clan to another, still they are tenacious to their own, as it is evident by their names and paintings. One Indian will always paint a bear, another an eagle, etc., on his skin lodge. The clans or families exist, so far as I have learned, among all Indian tribes; some of them consider the wolves so near relatives that they will not kill them. The most of them sometimes appear wolfish, as if they partook of the animal's nature.

Yet, notwithstanding their numerous superstitions, many of them are, in point of intellect, superior to the Negro race. I was United States interpreter some eight years; heard many speeches to the government officers from the president down, and know them to be good orators. In tact and good sense some of their speeches would not disgrace the halls of congress. They are uneducated, hence their superstitions—unlearned white men are often superstitious, and even learning and better judgment do not always prevent it.

It is generally supposed that there is not much ceremony in their courtships, but it is a mistake. When an Indian sees a squaw he wishes to marry, he goes to the lodge and sits down on the outside. He sits there for some time in a humble attitude, with his head in his blanket or robe, without speaking to anyone; then leaves and repeats his visit the next day; takes the same humble posture for a while, then departs. On the third visit he ventures into the lodge and seats himself at the back of the lodge in the same humble attitude, and leaves without making known his business—but it is understood. On the fourth visit he takes the same position, and if his visits are agreeable the father or guardian invites him to the fire. When some few visible steps are taken for success, he returns and his friends make some presents. He is then invited to the affianced's lodge, and takes her to his; some of his friends give one or more horses according to rank or number of horses. They don't leave to enjoy the honeymoon, but he lives with her in her father's lodge. It is customary for a young man to marry into a family, and if there is more than one daughter he takes the oldest, and so on as fast as they mature, and gives an extra horse for every additional wife. In this way one sometimes gets as many as six or seven wives. They are like the Mor-

mous in some ways; the oldest wife is Sister Young or Sister Kimbal and so on, and is mistress of the lodge. Each woman, however, has her own bundle of meat, corn, etc., and takes her turn in cooking; and the lord sleeps by turns in different parts of the lodge to avoid jealousy. Some of them have their women in different lodges and own a share in each lodge. In this way they fare better. They have so much system in cooking, dressing robes, corn-fields and other work that they get along better than one would suppose.

My travels with the Indians are now closed. I have been with them two winters and one summer, in all about sixteen months, for the purpose of acquiring their language. I have advanced considerably in the knowledge of the same, learned something of their manners and customs. I have feasted and sometimes fared hard, but have no reason to complain. They have invariably shown me kindness, and I am convinced that when the Indians learn a person and prove him to be their friend, they are kind and generous; but such is the treatment of them by the majority of white men that go among them that they have no confidence in the white man until they prove him. I shall say more on the subject hereafter.

I forgot to mention that a year ago (1835) Rev. Saml. Parker returned with Dr. Marcus Whitman on their way to the Flatheads and Nez Percés, over the Rocky Mountains. They were in company with Mr. Fontenelle, trader at Fort Laramie—or Black Hills. I accompanied them up the Platte as far as Pawnee village. While we were travelling up the Platte valley, near where Fremont now is, Mr. Parker remarked that before forty years church bells would be ringing there—meaning the Platte country. It is not thirty-six years yet, and we have years ago seen what he predicted; and the vast structure of the Union Pacific Railroad completed, and towns and cities have sprung up even on the mountain tops. But to the subject before us.

The missionaries arrived at their destination and established their mission. Brother Parker returned to New York by the Sandwich Islands, and Dr. Whitman returned on horseback in the winter of 1836,* and went to Washington to transact some important business connected with what is now Washington Territory, which was likely to fall into the British possessions.

The spring following Dr. W. came back with a reinforcement of

* Written 1856 in the copy, probably by mistake.

his wife, Rev. H. H. Spalding and wife, and Mr. Gray, for the Oregon mission; and Dr. B. Satterlee and wife, and Miss E. Palmer—now my wife—for the Pawnee mission. I heard of their coming and went to Liberty Landing to meet them. We stopped at Col. Allen's. There Mrs. Satterlee died of consumption. This looked dark for us to part with her before she reached her field of labor, but we tried to become reconciled and feel that it was the hand of God. By request of Dr. S. and her friends we called in the physicians of Liberty, and Dr. Whitman performed the operation of opening and examining her lungs, which proved to be a bad case of consumption. The next day we followed her remains to the grave—the home of all the living. We then returned to our boarding house with sad hearts, with one of our number left behind, or gone before to her eternal rest in heaven. Mrs. Satterlee was from Fairfield, New York. She had a brother, Dr. Wm. Mathew, who was a professor in the Medical College in Fairfield. Dr. S. was from Elmira, New York.

One week after Mrs. Satterlee died we were married by Rev. Spalding—destined to the Oregon mission. When I went down the river from Bellevue to Liberty, I went on the fur company's boat, and engaged a passage for our trip up the river; but when the boat returned there was another captain, who would not stop to take us on board, consequently I had to purchase a wagon and three yoke of oxen, and go up by land. Our Oregon brethren bought horse teams, and left us at the Big Nemaha. We proceeded up the Platte. When we got there found the June freshet had swollen the river, which was full almost to the banks. We procured a skin canoe of the Otoe Indians, and hired a white man to help us. We had to make several loads, but the doctor and our man were good swimmers. We swam over half a mile before we could reach the opposite shore. We finally got across, loaded up, and started for Bellevue, which was about fourteen miles distant. After arriving at Bellevue, I procured four acres and a garden spot—this was in June of 1836—and raised a good garden and some corn.

The Pawnees at this time were about to change their location, consequently we could not move out until they had moved to their new home, which was on their reservation where they have since resided until the spring of the present year—1876—when they were moved to the Indian Territory.

Myself and wife stopped at Bellevue, and Messrs. Dunbar and Satterlee went out to spend the summer with the Indians, on their summer's hunt. They were gone about two months, and returned to us at Bellevue; stayed about two months with us, and went back for their winter's hunt.

I ought here to mention, that Brother Dunbar went east for a wife, and got a small book published in the Pawnee alphabet, and words, and syllables, and returned in the spring, with his wife.

I went to St. Louis in February with P. A. Sarpy, on horseback, and returned in April with Brother Dunbar and wife. Left St. Louis on the sixth of April, 1837. First night stopped at Luten Island, above the mouth of the Missouri river. There came a snow eighteen inches deep—was fourteen days going from St. Louis to Bellevue—got home and planted some corn—got the varioloid from a Jim Beckwith, who resides with the Blackfeet Indians. This Beckwith was a negro. He gave the small pox to several on the boat, three of whom died on their way up the river. Several of the Indian tribes above caught the small pox. Beckwith and some 20,000 died of it.*

After they had travelled several days on their winter's hunt, Dr. Satterlee left with the Pawnees for Bent and Sauvois' fort on the Arkansas river. On their way back, when they got below the forks of the Platte, they discovered a smoke near the head of Grand Island. The Indians said it was probably Sioux, and proposed going around by the bluffs. The Platte bottoms were wide there. The doctor told them that they could go around, but he was going straight down the Platte. Above there, however, his horse had died, and he hung his saddle on a tree. When the Indians left him he was afoot. They were then about seventy miles from the Pawnee village. The two Indians got to the village, but the doctor never arrived. The smoke mentioned proved to be from the camp of three Indian traders, two men and a boy. The 'head man's name was Brady, who had some dispute with the other man, who probably killed Brady. The doctor being present, and probably taking Brady's part, was also killed. The man and boy came to the Pawnee village; the man being wounded in the bowels, appeared to be crazy, raised up from his bed in the night, tried to tear open his wound, and to kill the boy. He left the Pawnees, and was supposed to die from his wounds, or killed

* This estimate is, of course, an exaggeration; but it has not seemed best to omit the passage.—EDITOR.

himself. In June, afterwards, some men were coming down the Platte in skin boats, loaded with robes; when landed at Plum Creek, near the head of Grand Island, found the clothes of Dr. Satterlee, his bones, some hair, and his rifle standing by a bush, with the muzzle down, and the powder horn hanging on the gun. Some of his ribs were broken. His silver pencil was found in his pocket, and a paper with some writing. He was brave, and a good shot, and would not stand to be killed without defending himself, and probably shot the crazy man, and died in self-defense. Here we were deprived of another of our associates. The doctor's bones were left to bleach on the prairies, and to be destroyed by the wolves. His labors were short, but his heart was in the work.

Mr. Dunbar went to housekeeping in an old trading house at Bellevue, and we still lived, during the summer, with a Frenchman, where we spent the year previous. In the autumn I built a temporary house to live in, until we could move to the Pawnees. August 7, 1837, our first child was born.

Just previous to this Gen. Atchinson moved the Pottawattomies where we now live opposite Bellevue. Dr. Edwin James was their agent. The doctor was the surgeon in Major Long's expedition across the Rocky mountains. There is a peak in the mountains called James' Peak. When I came to this country he was in Delivan's temperance office in Albany, New York. I called to see him for the purpose of getting some information, then expecting to cross the Rocky mountains. He made a good agent, stopped boats as government required, and examined them to see if they had liquor on board. He was so strict a temperance man that the Indian traders used their influence to get him away. The Indian department offered him a situation among the Osages, but he declined it.

Our son died at thirteen months old and was buried at Bellevue, where we then resided. It was a sad bereavement.

When I first arrived at Bellevue Rev. Moses Merrill was there as missionary to the Otoes from the Baptist Board of Missions. They soon moved to their location at the Platte river six miles from Bellevue. He died there and was buried near where Smith's saw mill now is, south-west of Council Bluffs.

There was also a Baptist mission established in 1837 or 8—Rev. Samuel Curtis and wife missionaries. They stopped awhile at Belle-

vue until the agent established a smith's shop among the Omahas; they were then located at Blackbird Hills near where the Omahas now reside.

Mr. Curtis was appointed teacher for the Omahas. His house was built at government expense and cost some twelve or fourteen hundred dollars. He moved up and staid about a year, then moved back to Bellevue; the smith also moved back. The agent sent men to appraise the house, as the mission board was to defray half the expense of building it. They took off the doors and windows and cached them and some Indians burned the house. Here was an expense of some sixteen hundred dollars to the government, and I don't know how much to the mission board, without any benefit to the Indians. He had no influence with them. The board and government withdrew their support, and he was left on his own resources. He lived about a year in that condition until he exhausted his means of support; then wishing to return to the States for his wife's sake, the people made up a subscription paper, and I circulated it and raised means, with what little they had, sufficient to take him back.

I don't mention this to speak disrespectfully of missionaries, or the cause in which they are engaged, but to show how likely they are to fail if not competent for their work. Mr. Curtis could preach a good sermon and probably would be useful in the states, where all was pleasant and agreeable, but did not succeed with the Indians.

An Indian missionary needs to be as wise as a serpent and as harmless as a dove. Missionaries have a great many trials, therefore need strong faith in God and His promises. They need to pray much, labor much, and be kind and affectionate to the heathen tribes among whom they dwell in order to gain their affections to win them to Christ, and then they may fail. The influence of Indian traders and sometimes government officials and employés, is bad. This, together with their superstitions and heathenish practices, retard the progress of missionary labor. Christians in gospel lands don't pray enough and give enough to aid missionaries in their arduous work. It is consoling to them to know that many of their brethren meet at the monthly concert of prayer to pray that God will bless those who give their lives and spend most or all of their days in heathen lands away from civilized society and dear friends.

On account of the hostility of the Sioux we stopped with our fami-

lies at Bellevue until the spring of 1842, when we moved out on the reservation, where we commenced operations.

There was connected with us one year George B. Gaston and wife. He then became one of the government farmers, of whom there were four, who broke considerable prairie for the Indians. There were also two blacksmiths, with their assistants as strikers. These were in compliance with treaty stipulations.

We were divided into two settlements as soon as we could prepare buildings. Geo. Gaston, that I mentioned as being one of the farmers, after leaving the Pawnee country, moved to Tabor, Fremont Co., Iowa, where he resided until last year, when he departed this life, a consistent, earnest Christian. His family still reside at Tabor. The forepart of January, 1844, I moved my family to the upper station, three miles from Mr. Dunbar. The snow was so deep we had to go up on the ice of the Loup fork of the Platte to the mouth of Willow creek near our residence. We suffered severely that winter, beginning anew and not being very well provided for. It was also hard on the stock. My calves all died and I froze my fingers several times milking. We had a young babe three weeks old, and the house not very warm. March was the most severe of the winter, and I think it was the coldest winter I have experienced in this country. Myself, wife, and three children in one bed, and the last calf at the foot of the bed, and even then it died. The Indians lost most of their horses and several of the Indians froze to death. Many froze their feet and hands, and one Indian boy froze his limbs so badly he walked several years on his knees till he died.

In the spring I commenced in earnest to fence me a garden and little field; broke the ground, finished my house, built stables, sheds and was well provided for the coming fall. The winter of 1845 was warm and mild and we were well secured from the cold, for which we were thankful. Passed the winter comfortably.

The summer of 1845 I built a school-house—did the work myself, at the beginning of which I split my foot from big toe to instep, two-thirds through my foot. My wife was there at the time. She did not stop to look at the cut, but ran home one-fourth of a mile and sent a man back with a horse. During this time I hobbled about on my heel and picked up my tools. I then rode home and it just commenced bleeding. There was no one who dared sew it up, and I had

to do it myself. When I had nearly finished I fainted from pain and loss of blood. It was some time before I could get about to do much. I recollect caning an Indian some three months after for stealing my corn. Some of them are consummate thieves—that is, the women and the lower class of men, for if they were caught at it they were not much disgraced since they had little influence.

The spring preceeding* I commenced school and the chiefs would set their old criers—daily journals—to harangue the village, and on came two or three braves leading a band of some hundred and fifty children. Not more than one-third could get into the house. I had a card with large letters on it and would point with a long stick and name the letter and they would repeat it after me. When they had read the braves would turn them out and fill the house with another flock, and so on till they had all finished reading. The braves would then lead them home. Their attendance was very fluctuating, some days if they were not harangued there would be but thirty or forty. They soon, however, got so they could repeat the letters without my telling them. But when winter came or when they went on their hunts they would take their children with them because they were afraid of the Sioux, consequently the most of what had been learned would be forgotten. Their being molested in this way by their enemies retarded our usefulness, besides our families were in danger, our women being in constant fear when the Pawnees were on their hunts.

The Sioux and Poncas came several times, killed some of our cattle and stole our horses in the absence of the Pawnees. One time my wife was shot at at brother Ranney's out in the yard going from the chicken house toward the house. She heard a noise like the snap of a gun, looked around and saw two Indians standing about four rods from her. One had a gun, the other was fixing the flint. She was so frightend that it appeared to prevent her running until they shot at her. She had a child in her arms. There were two balls in the gun, one lodged in a log the other passed through the chinking and lodged in the house back of the bed. As she ran past the corner of the house she staggered and they suppose that they had shot her for they went home and reported that they had killed a white woman. She then ran home, but how she got through the fence she does not know. She got into the house, fell or sat down on the floor, and said that the Sioux

* "Proceeding" in the copy.

shot at her and Mr. Ranney. I caught my gun and ran up to Mr. Ranney's. The Indians had then got about twenty rods away. I hailed them. They then turned and shot at me. They shot at my dog, and one of the party shot one of our best work oxen and killed him. That night we gathered all the women and children into one house and we men stood guard, but they did not come back to molest us. They frequently came to our houses when the Pawnees were absent on their hunts, but generally in small parties. They were sometimes friendly, and sometimes not so much so. They would leave our houses and go to the village and burn some of the lodges; and if in summer time, would ride through the corn fields, cut and destroy the corn. They were often lurking about in small parties when the Pawnees were at their village for the purpose of killing some poor squaws who were after wood or in their corn fields. Sometimes would steal a few horses. This is the custom of all tribes with their enemies and the Pawnees are as bad as any other tribe in this respect.

One time the women of one of the Pawnee Loup chiefs were out after wood, and a Sioux Indian lay skulking in the bush watching them like a wild animal for his prey. A Pawnee saw him. He was so intent watching the women he did not see the Pawnee until he had crept near enough to capture him. He took the fellow to the village and gave him up to the husband of the squaws. This Sioux, they said, had killed two women of the same chief the previous year. The chief said he thought a good deal of his squaws, but would not kill the Indian, and gave him to a chief of another band, who kept him some time and protected him from the Pawnees until the spring following. The chief had Mr. Sarpy in his lodge trading robes. The traders build a breastwork of lodge skins, some five feet high, at the back of the lodge to trade behind, and to protect their goods. A grand Pawnee brave came into the lodge with his gun. The Sioux was sitting by the fire when the Pawnee struck him with the butt of his gun on his head. The Sioux, although stunned by the blow, jumped up and made a leap to get in where the trader was, but they jerked him back, and in less than a minute they had him out of the lodge, and all the old squaws that could get at him were beating him with their hoes and axes, giving the war whoop and powwowing over him. Such is the Indian practice—an eye for an eye and a tooth for a tooth, only more so.

Sometimes the Sioux came in large parties and attacked them in their villages, and have sometimes driven them from their village, killed several, and stole most of their horses and mules, and burned the village. Some three years after we first moved among them, and they had not all moved over from the Platte—the Loup band had moved, and the other three had partly moved, and had built about sixty lodges. They were attacked early in the morning by a large party of Sioux. They fought until about 2 P.M. Some Pawnees came eighteen miles to assist, but few of the Loup band assisted. They staid at home and fortified their village. The Sioux would make a charge from a high bluff one-fourth of a mile from the village, kill some, fire some lodges, steal some horses, and ride back to the partisan on the bluff; at his command would make another charge, and so on until they had killed about sixty Pawnees, stole several hundred horses, and fired thirty lodges. The Pawnees finally all got into the principal chief's lodge, made port-holes—his horse pen was filled with horses—and there was a desperate battle. Several Sioux were shot, but they would throw their dead and wounded across their horses and carry them off to prevent their being scalped. The Sioux finally found the Pawnee fire too hot for them and retreated back on their trail with their booty.

The Pawnees were so badly frightened they threw their dead into corn caches and heads of ravines, covered them lightly, picked up some of their traps and left some in their lodges, crossed the river and went about three miles that night. It was on the twenty-seventh of June, I think in 1845. The next day we went to the village; found two dead Pawnees and one Sioux, which we buried; also found a Pawnee lying in the grass near a creek below the village with one leg broken at the knee. We took him home with quite a number of their traps. There were seventeen dead ponies near the principal chief's lodge. The head chiefs of two of the bands and several of the Republican band, La Shappell, the interpreter (Spanish), with several of their braves—in fact their best fighting men—were mostly killed. The women and children were barricaded in the chief's lodge.

They made the attack on Middle Chief, who was head chief of the tribe, early in the morning, about a mile from the village. He was on foot, with a double-barrel gun, but no load in it; he kept retreating and pointing the gun at them. They fired several shots at him, and shot arrows at him, but did not hit him.

I had Dr. Satterlee's amputating instruments in my house and offered to amputate the Indian's broken limb; he said he would rather die. I told him he would in that situation, and he died in about three days, mortification took place and killed him. One Pawnee brave was killed near where the battle first began. His head and hands were severed from his body, and a rifle, with a dint in the barrel, stuck into his body up to his neck, and he was shot full of arrows; such is the cruelty of Indians. We were where we could see most of the battle, but thought best not to interfere. Sin is the cause of all battles. If all nations, civilized and heathen, were Christians indeed, and would follow the true principles of Christianity, there would be no wars.

We remained at the Pawnees' about four years and four months, and left in August, 1846. While there we labored hard in building houses, making conveniences for our cattle, breaking ground for our fields and gardens—which we were obliged to do as means of subsistence—at the same time trying to teach the Indians, and benefit them as much as we could hoping the way would be opened, that we could be made useful to them, and exert an influence for their spiritual welfare, but our hopes were soon blighted by the frequent hostilities of the Sioux, and the neglect of government to give them the protection they had promised, consequently much hard labor and expense were lost.

We were in the country eight years, doing what we could to prepare the way, before we could move among them with our families. During that time, Brother Dunbar and myself traveled with them some eighteen months, for the purpose of acquiring a knowledge of their language, manners, and customs. The remainder of the time we were with our families at Bellevue, living in suspense, hoping that the way might be opened that we could go among them. During that time we had but little access to them, but more with the Otoes and Omahas, who were living most of that time near Bellevue. I could understand considerable of their languages, especially that of the Otoes, whose language is pretty and easily acquired.

When we finally left the Pawnee country, before leaving we held a council with the government employés, and decided that it was not safe for us to remain there any longer, for by doing so we exposed ourselves and families.

A few days before leaving a party of Sioux came to our house.

They visited the school-house where L. W. Platt had a boarding school of Pawnee children. They let the Sioux into the yard, previously, however, putting the children into the cellar. One of the Sioux went half of the way up the chamber stairs, and seeing no one came down, and after they had explored as much as they wanted, they went away ; when Mrs. Platt ascertained that one of the Indians was asleep on a bed upstairs, but the Sioux did not discover her.

A few days after, the same Sioux returned with a reinforcement. We saw them coming, and put our women and children with the school children upstairs in the school-house. We armed ourselves with the determination that we would not let them inside of the yard. They had an American flag, and one of them handed it over to us, and wanted to get inside. He alone got over the fence, and when he was palavering, and saying "very good,"—meaning the flag—some of them managed to take two horses from the stable, which was outside the fence, when a man upstairs, behind the women, cried out "Our horses are gone." The Indian inside the fort, with the flag, was about as badly frightened as Mr. Cline, and in his hurry to leave, leaped the fence, and forgot the flag, which we thought first of retaining, and him with it ; but we finally thought, for our own safety, we had better let them go. If we had all been like Cline they would have overpowered us, for they were three to one. They went to the Pawnee village, and set fire to several of the lodges.

At last we decided to cache our things that we could not take with us, and leave. We did so, and left for Bellevue. Mr. Platt had sixteen Indian children which he took there for protection.

About that time the Mormons had arrived from Nauvoo. A Col. Allen had drafted a regiment of Mormon soldiers for the Mexican war of 1846. A Mormon bishop by the name of Miller had started with about forty families for Salt Lake, as the first company across the plains. We accompanied them back to get the remainder of our things, and when we arrived at our houses we had been gone just one month. During that time no Indians had been there to molest. The last day of our trip we went eight miles ahead of Miller's camp. Soon after we arrived, however, two companies of Poncas met, one direct from their village, the other a war party that had been south—about thirty in number. There were only five of us and three from Miller's camp. The Indians did not behave very well. Most of our men lay down

to sleep, but two of us concluded the safest the best policy, so stood guard. They told me to sleep, they would not harm anything. I told them all right, they could sleep, I was going to stand guard. They laid down and were soon asleep. In the night we started two messengers back to Miller's camp for reinforcements for we did not know what they might do. The men arrived about daylight and came so still they were upon them before they knew it, being asleep. The Indians were so surprised and agitated in their hurry, were plagued to get their traps. But they soon left and went over to Mr. Renney's (the house) that he had occupied. They went upstairs, cut open some sacks containing wheat that we had stored there and let the wheat run down through a loose floor, then took the sacks with them. We did not know it until they had got so far away we could not overtake them. That day Bishop Miller arrived with his company. We sold them the wheat, loaded up, and the next day started for Bellevue. Brigham Young sent word to Miller not to go to Salt Lake. We returned north to Ponca county and wintered there. The spring following Brigham Young with a company of men left for Salt Lake. That was in 1847—the first emigration to Salt Lake.

The Indian agent turned over the boarding school of Indian children to me, and Mr. Platt went to Civil Bend, Fremont Co., Iowa, to live. Mr. Dunbar went to Oregon, Mo., and Mr. Ranney back east and afterwards to the Cherokees, and stayed there until the war broke out in the south. Mr. Dunbar bought a farm near the mouth of the Nodaway river, Mo., taught school some, preached some, and attended his farm. Afterwards sold his farm and moved over to Kansas, where he and his wife died. I am unable to say whether Mr. Ranney and his wife are alive, or I am left alone to tell the story.

I kept the boarding school two years; after that we lived at Bellevue until 1851, when we moved to St. Mary, Mills Co., Iowa, on a farm, and lived there two years. I think I bought where I now live fourteen years ago. The government urged me for about eight years to become United States interpreter. I was United States interpreter for Gen. Danver's treaty with the Pawnees, which, I believe, was in August, 1856. After President Buchanan's inauguration in the autumn, I went to Washington with Major W. W. Dennison and a delegation of sixteen Pawnees to have the treaty ratified. We stayed there all winter waiting for congress to quarrel over the admission of Kan-

sas as a state. Almost every member of congress had to make a speech on the Kansas question, and kept us there till April. One of the braves died there and was buried in the congressional burying ground under the direction of Hon. Chas. Mix, acting commissioner of Indian affairs, with great pomp and honor to the poor Indian. After the ratification of the treaty we made our way back by way of New York City, where the Indians, by order of the commissioner, received a quantity of presents.

We arrived home safely the last of April, 1857. They then lived on the south side of the Platte river, opposite and below where Fremont now is in Nebraska. They received one payment there and then moved where they now live, on their reservation at Beaver creek, twenty-two miles above Columbus, Nebraska.

Although Indian children make good progress in reading, and especially in writing, it does them but little good, as they leave the school and forget all they have learned, particularly the boys, for it is difficult to keep them in school after they are some sixteen years old. At that age they commence going to war. They establish their character as braves by stealing horses and killing their enemies. The Pawnees generally prefer the horse stealing, as they are fond of plenty of horses for packing and killing buffalo, but they don't often keep them long, for their enemies do as they do—steal them—and they lose many by exposure to cold. They also use them roughly in packing and on the chase.

I believe in the spring of 1851 we moved to St. Marys, Iowa, and lived two and a half years on a farm called the Fielder farm, three-fourths of a mile south of where we now live and have lived for twenty years. We lived here in Iowa when I was United States interpreter, consequently I was absent from home considerable of the time among the Indians, where I had a better opportunity to learn their manners and customs than when I lived in their country. When they moved to their present location—in 1859 I believe—they had a new agent, Hon. J. L. Gillis, from Pennsylvania. I acted as United States interpreter until his time expired, about the time of the civil war. A Major De Pue succeeded Judge Gillis. While there the Pawnees had several attacks from the Sioux. Gen. Sulley, who was in command of Fort Kearney, was stationed at the Pawnees, with a company of infantry, and Lieut. Berry with some twenty dragoons, and

when there was an alarm of Sioux the Pawnees would run them three or four miles before the dragoons got saddled, but still it gave them courage having the soldiers there. Judge Gillis was upwards of seventy years old, but would buckle on his pistols, mount his horse, and go with the Pawnees in pursuit of their enemies. This he promised for their protection, as he feared not the face of man, especially an Indian. The Sioux came several times while the Pawnees were on their hunts, and two or three times burned some of their lodges and rode through their corn fields to destroy their corn, but we were not strong enough to prevent it.

The Indians are obliged to live compact in villages for mutual protection and to plant their corn in large fields near by, when if they could scatter out and have their family farms they would do much better; but they have these difficulties to encounter, which greatly retard their progress and prosperity. So it is, and I don't see any prospect for the better. Some of the tribes have one difficulty and some another, and all are diminishing fast every year, and will continue to diminish until they are finally extinct, and that will be soon, unless some plan can be devised by our government to urge or force them to form a colony and establish a government similar to our own; and then they would need a different rule from ours, for they are not sufficiently enlightened to send delegates to our congress, unless, from the Cherokees or Choctaws. I have had forty years' experience, more or less, and am ready to admit that their future prospect looks dark. Our government is disposed to be humane with them, but there is a great deal of money and time spent that is useless. I know this, for I have had experience enough to know that many of our Indian agents who go among them are inexperienced—know little or nothing of Indian character, and care less. If they are smart enough to write a good report, and, having a salary of some fifteen hundred dollars, can steal as much more from the government and Indians, and cover their tracks and let other employes do the same, they come through the mill all right. Then people who travel through the Indian country often wrong the Indians and then complain of their depredations. There is surely a cause for bad Indians; they are made so by bad white men. This I know in a great measure to be true. I do not by any means uphold the Indians in wrong doing, at the same time I am bold to say they are treated wrong and often without redress. Many

white men are ready to trample them under foot without considering the true cause of the Indians' complaints.

Several years since—soon after the first emigration to Denver and California—there was a company of whites traveling up the Platte bottoms between the Elkhorn river and Fremont, Nebraska. They camped on a little creek that empties into the Elkhorn. One of the company thought that he would show his bravery and shot a poor Pawnee squaw. The Indians being camped near caught the fellow and skinned him. I do not know whether dead or alive, and it matters not in my estimation. The creek has since been called Rawhide creek.

Such are the provocations sometimes by inconsiderate white men, who deserve the name of demons instead of men. I go for equity and right—punish the Indians when they deserve it, but give no cause of offense. If they will not explore and improve their country before we take it from them and drive off their game and destroy their means of subsistence, let us deal fairly with them and remunerate them for that which belongs to them.

* * * * *

The American Fur Company had a trading post some eighteen miles above Bellevue and nine above the present city of Omaha. Major Joshua Pileher was in command of the post. I found the major one of the most prompt, candid, and reliable gentlemen I have met with in the Indian country. He was well informed on almost any subject, especially respecting Indians, for he had great experience and was free to give any information that was interesting and reliable. During the Black Hawk war the Saes and Foxes killed their agent, and Major Pileher was appointed special agent for that tribe. He was afterwards appointed superintendent of Indian affairs, whose headquarters at that time were at St. Louis, and I believe he died there while in that capacity. He once had control of most of the Indian trade from St. Louis to the Pacific ocean. He one winter performed a journey in the Rocky Mountains several hundred miles, some of the way on snow shoes, his provisions and bedding being hauled by dogs. He traveled by land almost as far as any one could toward the Arctic region and related some startling adventures which I regret I did not make note of.

Mr. Cabana, one of the members of the company, succeeded Major Pileher at the fort. He was a very kind and polite gentleman and

quite an epicure. There was plenty of wild game in those days and he employed two hunters. His store-room in autumn was filled with venison, geese, swans, ducks, and other small game. He kept a good negro cook, and would visit the cook room several times a day to see that all was going right. Whatever was served on the table was always in the best style, and he was very attentive to his guests at table and elsewhere. He made one sad mistake. Soon after Peter A. Sarpy made his advent into this country he was clerk for Mr. Cabana, and there was a Mr. LaClair who traded with the Poncas. After LaClair had passed Cabana's fort Mr. Cabana hired several Omaha Indian volunteers, headed by P. A. Sarpy, who pursued LaClair and took from him his outfit of goods, which cost Mr Cabana some thousands of dollars to make restitution.

This I believe was Col. P. A. Sarpy's first act of bravery, and caused his promotion from lieutenantcy to captain, but at Mr. Cabana's sorrowful expense. By the by, Col. Sarpy earned the title of "colonel" by some distinction, not as a military man, and I should not do him justice without giving him a prominent place among the distinguished Indian traders and frontier men of early days. He possessed some excellent qualities and traits of character; although sometimes rough and uncouth, was a high-toned gentleman, who exerted a great influence among the whites as well as the Indians. He was particularly generous to white men of distinction and wealth, also to the Indians when it paid well, but exacted every penny of his hired men and others who earned their living by labor. Still he was generous to the needy. He was active and persevering in his transactions of various kinds of business; employed considerable capital in Indian and other trade; but was often wronged by his clerks, which vexed him as he was very excitable. For a business man with a large capital he was rather a poor financier. Toward the latter part of his life he became addicted to intemperance—a habit of seven-tenths of the Indian traders. During my acquaintance with him of thirty years he was always kind to me and would accommodate me in every way he could. He was all that could be wished for a man of the world, except the habit of intemperance.

He was extremely fond of good, fast horses and always kept a plenty. He was also fond of good dogs and always had a number. He had a large black greyhound that was his particular favorite, and well

he should be, for Cuff—that was his name—was very fond of his master and watchful of his welfare. He kept him twelve or fourteen years, till at length some Omaha Indians had committed a theft which exasperated the Colonel, and he became so enraged that he set Cuff on the thieves, who pursued them so closely they considered themselves in danger and one of them wheeled round and shot the dog dead. This so greatly enraged the Colonel that he swore vengeance on the whole Omaha tribe. He called a council of the chiefs, to whom he made a touching speech, appealing to them by his former fidelity and friendship, referring to the desperate conduct of their young men in killing his favorite dog, and, it is said, proposed to the chiefs that the young men be banished from the tribe and go to live with the Kickapoos for a certain time as a punishment, to which they assented. For the foregoing I cannot vouch, but I do know that he had the dog laid out in rich style, had a grave dug, and—according to Indian custom in burying their dead—had a wolf's tail tied upon a pole at the grave, and hired an Omaha Indian to go at stated times for several days and cry at the grave as the Indians do for their dead. During the last few years of his life he suffered much; had several severe attacks, and at last died in Plattsmouth, Nebraska. His relatives lived in St. Louis and his remains were taken there for final interment. It was said that he left a property of \$75,000, most of which was in St. Louis. He had one brother, John B. Sarpy, who died before him and who was a member of the American Fur Company.

When I came to this country in 1834, John B. Sarpy had charge of most of the company's business. The firm consisted of Pierre Chouteau & Co., namely, Mr. Chouteau, John B. Sarpy, Bernard Pratte, Capt. Sears, Major Sanford, and young Chouteau. Gov. Clark—of Lewis and Clarke notoriety—was then superintendent of Indian affairs with headquarters at St. Louis. He was superseded by Major Pilcher as mentioned above, and afterwards by Col. Mitchell. The superintendent's office was removed to St. Joseph and kept by a Dr. Robinson, and then to Omaha, Nebraska, where Col. Taylor was superintendent, and so on to Superintendent Jenny.

The Indian trader I mentioned in connection with Mr. Cabana, ended his existence by shooting himself. He had been intemperate and took a solemn oath that he would not drink any liquor for a certain time, lived that time almost out, and was met by some friends who

persuaded him to take a drink with them. He did so and afterwards on sober reflection took a pistol and deliberately shot himself.

Lucien Fontenelle, the father of five interesting children by an Omaha woman, was a man of talents and well liked by those who knew him. He had also great influence with the Indians, especially the Omahas. He was a gentleman in his manners and affectionate to his family. He was a successful trader and in company with Major Drips had a trading post at Fort Laramie and in the spring of 1835 built a log house to store their goods, which they took on pack animals to their fort up the Platte. The house in which he died yet stands on the river bank near Bellevue, close by where the cars of the Southwestern railroad run daily. Notwithstanding his excellent qualities and refinement he followed in the wake of most Indian traders and finally died from the effects of intemperance. There are many now living who know the history of his family. He kept his children in school at St. Louis until they had a fair English education. Albert, the second son, partially learned the blacksmith trade with John Snuffin, now living at Glenwood, and was a good smith. Henry, the youngest, learned the wagon maker's trade and was handy with tools. He still lives at the Omaha Reserve and has a family, his wife being a half blood Pawnee. Susan, a fine girl, is now Mrs. Neils. Logan, the oldest, was a remarkable boy and lived to be an Omaha chief of great influence in his tribe, and also greatly respected by the whites who knew him. He was killed by the Sioux in a bloody fight in which he fought bravely. Albert was injured by being thrown from a mule which was the probable cause of his death. Tecumseh was killed in a drinking frolic by his brother-in-law, Louis Neil, who was afterwards almost literally cut to pieces by Tecumseh's friends. Our authorities confined Neil in the Omaha jail for sometime until he was pardoned by Tecumseh's friends. The only fault of the boys was they would sometimes get to drinking and disgrace themselves in that way.

A Mr. Brurie was traveling above in the Sioux country some twenty years since, with three other gentlemen, one cold winter day, and rode on ahead to select a camping place. He rode farther than he needed to for that purpose and the party pursued on and overtook him and found him sitting on his horse frozen to death. There is so little timber and distances between camping places so far in the Indian coun-

try, a person needs both caution and experience and sometimes perseverance to keep from freezing. I have often been exposed in this way, and to prairie fires in the fall season.

There are two missionaries now living among the Indians who came to this country soon after I did,—Mr. Ewing among the Iowas, and Mr. Hamilton among the Omahas. They are still laboring for the good of the Indians, I believe with success.

There were some gentlemen among the Indians as traders in this vicinity that I have not mentioned. There was Laforce Pappan, who was in the employ of the fur company. He was on his way to St. Louis in company with Col. Sarpy in 1848 and took the cholera at Nishnabottany and died very suddenly. He had a Pawnee woman and four interesting boys. She is living among the Omahas, has an Omaha husband. Two of the boys are also living.

There was Stephen Decatur, a well informed gentleman, in the employ of Col. Sarpy. He went to the gold mines and I do not know whether he is living. His family are at Decatur City near the Omaha reserve.

François Guittar, who was also in the employ of the American Fur Company, is now living in Council Bluffs. He came to this country about the time I did—in 1833 or 1834.

There was also Baptiste Roy, who had a trading house near the mouth of the Papillion, in Sarpy county. The noted steamboat captain, Joseph La Barge, was his clerk.

This reminds me of a noted rascal half-breed Arickaree by name of Antoine Garrow, who was stopping at Roy's trading house. He was at Fontenelle's trading house, and Fontenelle, knowing him to have headed the Arickarees in killing several white men, and being somewhat intoxicated, shot at Garrow in the yard of his fort. The ball having passed through Garrow's hat, he (Garrow) said, "What is that for?" Fontenelle replied, "I meant to kill you." Garrow soon left for Roy's fort. Fontenelle got up a party of five or six men and in the evening went down near Roy's fort; sent two men and called Garrow out doors; took him off some eighty rods and shot him. He was buried beside a large cottonwood tree on the bank of the Missouri river below Bellevue, near where Mr. Tzschuck now lives.

Roy traded with the Otoes but also kept a "doggery." Sometimes there would be some twenty Otoes, Roy and his squaw, all drunk,

pitching and rolling on the bed and floor at the same time, howling like so many demons from the bottomless pit. That is the way some men used to procure the Indian trade.

Major Culbertson was general agent for the American Fur Company. The opposition company was Ellis Harvey, Joe Recotte, and others. The company in those days sent every year a steamboat loaded with goods to Cabana's fort, about ten miles above Omaha City, and return to reload at St. Louis and meet the June rise of the Missouri river; then ascend to the mouth of the Yellowstone river and forts above that.

Before steamboats ascended the Missouri river some forty years ago, they used to cordelle keel boats from St. Louis up the river to the Rocky mountains. Some days they would make ten, fifteen, or twenty miles. They would wade through mud, water, nettles, and brush with a million mosquitoes at their backs, and pull the cordelle all day, and eat boiled corn with a little grease for supper. If they had coffee they paid extra for it, and if they did not obey the barger or boss they were threatened to be left on the prairies at the mercy of the Indians.

NOTES ON THE EARLY MILITARY HISTORY OF NEBRASKA.

BY EDGAR S. DUDLEY, FIRST LIEUTENANT SECOND UNITED STATES
ARTILLERY.

[Read before the Society, Jan. 12, 1887.]

At the request of the secretary of the State Historical Society, Prof. Geo. E. Howard, I undertook recently to look up the military history of the state, hoping and expecting to find in the records of the state department, and especially in the adjutant general's office, all necessary data and information. But upon examination I find that, through lack of appropriation for its proper maintenance, and for the care of the records, etc., it fails to supply what I expected, and any effort to obtain information as to the special service of Nebraska's citizens in the late war, beyond what is already recorded, is impracticable without great labor. I therefore end my "notes" with the beginning of the year 1860.

The early military history of the state is so intimately connected with every effort for its settlement, and with the life of every pioneer who had to contend for possession of his lands and home with hordes of savages who originally occupied it, that to completely write it would be to give the history of the private life of each individual settler, of his trials, dangers, and escapes. In early days every house was built for defense and every stage station a stockaded fort. The soldiers of the regular army were here, as elsewhere, the pioneers, and within the radius of their protecting power, settlers came wherever they established a permanent post.

Nebraska first came into the possession of the United States as a part of Louisiana, ceded April 30, 1803.

What people first occupied this vast territory, what changes took place in the character of its inhabitants, we can only guess from what we find of relics from time to time discovered. It is likely that a race superior to the Indian in civilization and knowledge of construction once occupied this region, for Lewis and Clarke in 1804 discovered in what is now Knox county the ruins of an ancient fortification, fully described in the account of their expedition, and they were informed by the Indians that many similar works existed on the Platte and other rivers, though they could not tell when or by whom they were constructed.

The first white men who probably visited this country were fur traders. Two brothers, Pierre and August Choteau, are supposed to have passed beyond the forks of the North and South Platte rivers in pursuit of furs as early as in 1762.

In 1803, after the cession of this territory to the United States, President Jefferson planned an exploring expedition for discovering the source of the Missouri and the most convenient water communication with the Pacific coast. This was essentially a military expedition. Capt. Merriwether Lewis, First United States infantry, being in charge, with Lieut. (afterward captain) William Clarke second in command. The party consisted, besides these, of fourteen regular soldiers, nine young men from Kentucky, two French "voyageurs," an interpreter and huntsman, and a colored servant of Capt. Clarke. All were enlisted, except the latter, into the service of the United States as privates. They left the mouth of the Missouri river May 14, 1804, passing along the eastern border of what is now the state

of Nebraska, and beyond it. They found it occupied by various tribes of Indians, of which they give the names, and July 30, 1804, went into camp and held a council at a place now known as Fort Calhoun, which, from that fact, was then called "Council Bluffs," a designation since given to a city on the opposite side of the river, much lower down.

In 1805 one Manuel Lisa established a trading post on the western bank of the Missouri, and being pleased with its location, and the beautiful view from it, called it Bellevue.

In 1810 Astor (the American Fur Co.) established a fur trading post there with Francis De Roin in charge, who was succeeded by Joseph Roubideaux, and in 1816 he by John Cabanne, after whom, in 1824, Col. Peter A. Sarpy took charge.

In 1819 the exploring expedition of Major Long found Bellevue occupied by these parties, and that treaties had been made with various Indian tribes.

In 1821 Missouri was admitted as a state and the territory of Nebraska was practically without government. In fact there were no American settlers to be governed. In June of this year the war department established the first fort, of which there is any record, in this state, on the Missouri river at the place then called Council Bluffs and named it Fort Atkinson. Its name was afterward changed to Fort Calhoun, in honor of John C. Calhoun, secretary of war, and in June, 1827, it was abandoned. The magazine of the fort was still standing in 1854, a solid structure, 10 by 12, with walls two feet thick.

In 1825 one J. B. Royce established a trading post near what is now the site of Omaha City. In 1826 Col. John Boulware, who finally settled at Nebraska City, established himself at Fort Calhoun and is said, next to Col. Sarpy, to have been the first white man who attempted to settle in the valley of the Missouri above the south line of the territory.

Of the ancient battles between Indian tribes the history of one has been preserved. It is said that one of the most desperate battles ever fought on the American continent took place in 1832 in what is now known as Richardson county. The Sioux and their confederate tribes led by Oconomowoc attacked the Pawnees and their allies. No less than 16,000 Indians are said to have been engaged in the fight, and the battle lasted three days. At the end of this time the Sioux with-

drew from the field, leaving 3,000 of their braves dead or prisoners. The Pawnees lost 2,000, and revenged themselves by burning 700 prisoners during the engagement. They were led by Taepohana, one of the most crafty and daring chiefs of the Pawnee confederation. The result of this battle was to make the Pawnees masters of the country and left them one of the most powerful of the Indian tribes of the plains.

Col. Henry Dodge, First United States dragoons, visited this region in 1835, with 117 men, to induce the Arickaree Indians to accept a reservation and enable white men to settle the country. He encamped at Cottonwood Springs, which afterward became Fort McPherson. From this time on until 1841, at which date the government transferred its agency, formerly at old Council Bluffs, to Bellevue, nothing important seems to be recorded.

In 1842 Fremont's exploring expedition traversed this country, meeting on their way fur traders, who had already established a fort at the mouth of Laramie Fork on North Fork, under the direction of the American Fur Company, calling it Fort Laramie. Gen. Fremont, on returning from his expedition the next year, sold his outfit and broke up his party at Bellevue, returning east by way of the river.

In 1844 the Mormons from Nauvoo, Ill., began to cross at the present site of Council Bluffs and continued through 1845-6-7. Many wintered near the present site of Omaha, some remaining as late as 1851.

In 1847 Col. John Boulware established a ferry at old Fort Kearney—Nebraska City. This was the first fort after Fort Atkinson established within the present limits of the state, and there is some difference of opinion as to when and by whom it was located. So far as the official records at my service go, and the incidents of early history, of which the establishment of the ferry above mentioned is one, it seems probable that the place was occupied by United States troops previously to 1847, but not as a permanent post. The record of Gen. Daniel P. Woodbury, U. S. army, shows that, whilst first lieutenant of engineers he was engaged as supervising engineer of the construction of Fort Kearney, Neb., and Fort Laramie, Dak., for protection of the route to Oregon from 1847 to 1850, and it is probable that at this time the block house was erected which, early settlers will remember, stood on Fifth street, between Main and Otoe, near Main. Officers'

quarters were also erected (near where the Morton House now stands) and a hospital building was located near the corner of Fourth and Main streets. This place was occupied by United States troops on the breaking out of the war with Mexico, and they being ordered to New Mexico, the post was practically abandoned for a time, being left in charge of Wm. Ridgway English as storekeeper.

In the fall of 1847 five companies of troops raised in Missouri for service in New Mexico were sent to Fort Kearney with orders to winter there, under the command of Col. L. W. Powell. They remained about a year and in 1848 old Fort Kearney was abandoned, the property being left in charge of Mr. Hardin, succeeded a year later by Col. John Boulware, and he in 1850 by Col. H. P. Downs, who remained in charge until the government withdrew all claims to the site. On its abandonment new Fort Kearney was established, May, 1848, south of the Platte and east of the present site of Kearney Junction. This fort was occupied by the United States until May 17, 1871. It was originally intended to protect the Oregon route, the gold fields of California not yet having attracted that multitude of gold seekers that established a new trail across the continent and made Fort Kearney one of the most important points on the route as a place of safety, rest, and recuperation. The history of its establishment, as related by the historian of Kearney county, is that the secretary of war, Wm. L. Marcy, in 1848, ordered Capt. Childs of the Missouri volunteers to establish a fort on the Oregon overland route at some distance from the Missouri river. He started early in that year and made an encampment first near where Aurora, Hamilton county, now stands, but abandoned it May 8, 1848, and moved up the Platte to what was known as Carson's crossing, and there on the 17th of June selected a site for the fort on the south side of the river and near it, but on the 8th of July a big rise of the Platte swept away his partially completed buildings and he moved to higher ground farther south, and on this site it was completed and called Fort Childs. This name does not appear upon the list of military forts of the United States, but this is probably due to the fact that it was not established and reported by an officer of the regular service and the name not authorized by the war department. Capt. Childs was succeeded the same year by Bvt. Maj. Charles P. Ruff, United States mounted rifles, and its name was changed to Fort Kearney, "Oregon route."

It is stated that it was named after the famous Indian fighter Phil Kearney, but this is undoubtedly a mistake. The records show that Brig. Gen. Stephen W. Kearney, U. S. A., a gallant soldier, died October 31, 1848 and, as was and is the custom, it is beyond question that it was in honor of the memory of that dead hero that this name was given it, probably by orders issued from the war department that year, at some time during the fall, after his death. This post was continually occupied and was at different times commanded by men of national reputation until 1871, when it was abandoned. It was occupied by the Second Nebraska volunteers and afterward by the First Nebraska under the command of Col. R. R. Livingston and has been commanded by other officers of Nebraska troops in United States service. The lands upon which this fort was located belonged to the Pawnees and in exchange for it they received the lands now known as Nance county. [Appendix "A"]

In 1850 a military road was established from Fort Leavenworth to Fort Kearney through lands belonging to the Indians, but afterwards purchased by the United States and ceded by the Indians.

All during this period, and for years later on, there were continual battles between the regular soldiers and the Indians. So numerous were the engagements that a simple copy of the records of officers engaged therein would occupy considerable space and awaken surprise that they had been unheard of or were forgotten. This simple record of duty done and dangers encountered—of lives given up in the service—must remain forever, for the greater part, unpublished.

In 1854 the bill establishing Nebraska territory passed and was approved May 30. Francis Burt of South Carolina was appointed governor, and Thomas B. Cuming of Iowa secretary of the new territory. During this year also actual settlers reoccupied Fort Calhoun, and a colony under the guidance of Logan Fontenelle, a half breed chief of the Omahas, located a place on the Elkhorn river, calling it Fontenelle. Maj. Gatewood, Indian agent for the tribes in that vicinity, called them together in council at Bellevue and it is probable that lands were secured for them at this time.

October 18, Gov. Burt died at Bellevue and Secretary Cuming became acting governor, and on the 23d of December he issued a proclamation stating that different Indian tribes had made manifest their purpose to commence hostilities, threatening the frontier settlements,

committing depredations, etc., and therefore recommending that the citizens of the territory organize in their respective neighborhoods into volunteer companies, constituting in all two regiments, one north and one south of the river Platte, elect their own company and regimental officers and keep such arms, equipments, etc., as they can procure ready for service, to establish night sentinels, and provide block houses for shelter in case of attack. [Appendix "B."] He also states that he has this day appointed one colonel, lieutenant colonel, major, and adjutant for each regiment. The records at the state capitol are not very definite as to who these officers were, but the following are the first officers shown as filling these positions:

First Regiment Nebraska Volunteers—Col. A. J. Hanscomb, Lieut. Col. Wm. C. James [Feb. 7, 1855], Maj. Hascall C. Purple, Adjt. Thos. L. Griffey.

Second Regiment Nebraska Volunteers—Col. John W. Boulware, Lieut. Col. J. W. Roberts, Maj. M. Mickelwait, Adjt. William McClennan [Jan. 30, 1855].

In January, 1855, he appointed John M. Thayer brigadier general, commanding First brigade; J. D. N. Thompson, adjutant, Peter A. Sarpy, quartermaster general, and Wm. English, commissary of the brigade. [Appendix "C."]

The first session of the general assembly of the council and house of representatives of the territory of Nebraska was held at Omaha beginning January 16, and ending March 16, 1855. In his message to the general assembly Acting Gov. Cuming recommends that they memorialize congress that "instead of or in addition to garrisons at isolated points, parties of dragoons shall be stationed at stockades twenty to thirty miles apart on a route designated by the executive of the United States as a post road between the Missouri river and the Pacific; that express mails shall be carried by said dragoons riding each way and meeting daily between the stockades, and affording complete supervision and protection of a line of electric telegraph constructed by private enterprise." This recommendation was acted upon by the legislature and its substance embodied in a long preamble to a joint resolution, in which it is stated "that it is the duty of the general government to furnish adequate protection for the frontier settler" as it had done for the shipwrecked sailors in Japan and "in the rescue of Kozta from the fangs of European tyranny," and the resolution passed and was approved March 7, 1855.

January 29 a joint resolution was introduced in the house by Mr. Richardson, which was amended in the senate, passed, and was approved February 8, 1855, as follows :

Resolved, By the council and house of representatives of the territory of Nebraska, that the governor be requested, and that we recommend his excellency, if he deem expedient and necessary, to commission officers to raise two or more volunteer companies (not to exceed five) of mounted rangers, not to exceed 100 men to each company, for the protection of the frontier settlements, to be stationed at such points in this territory as are best calculated to accomplish this object, said companies to elect their own officers, who shall be commissioned by the governor.

The committee of the house on military affairs reported as to the relative efficiency of volunteers and of organized militia in protecting the frontier settlements and approved the course already adopted and the organization of volunteer companies as provided by the above resolution, stating as one of their reasons therefor "that experience has shown that militia 'trainings' under the old plan are too often a nullity and a farce, while, on the other hand, they confidently rely on the patriotism and honor of self-organized companies of our gallant settlers to fly to the rescue whenever the farms of friends and neighbors are invaded, or whenever emigrants are attacked in passing through our borders." Not being dated it is signed,

"JOHN B. ROBERTSON, Chairman.

GIDEON BENNETT.

J. H. DECKER."

March 14 another joint resolution was passed, the preamble of which stated that the people had been recently much annoyed by actual depredations committed by Indians, that "the emigrants in this territory are under serious apprehensions, and their lives and property are in imminent peril from these lawless savages," and that "they are fully impressed with the conviction that the unprotected and defenseless condition of the frontier settlements will greatly tend to check and retard the current of emigration, and calls loudly for aid from the war department." "Be it therefore resolved by the council and house of representatives of the territory of Nebraska in general assembly convened ; that we request the Hon. Jefferson Davis, secretary of the war department, that, if in his power, he will send on without delay a sufficient military force to afford protection to the frontier settlers of this territory from Indian depredations."

At this time the overland freight and emigrant route across the plains extended up the Platte river on its south side, and ranches were established every few miles along the route as stations where the stages were supplied with fresh horses and drivers.

Plum Creek station was one of the most important, being a stage and telegraph station, and as the road after leaving the station passed through the bluffs and near cañons where the Indians could easily conceal themselves, this was the scene of more trouble from them than almost any other point on the route.

The Indians were quite troublesome during the year, and there were several encounters between them and the regular troops, the most notable one being at Ash Hollow, where Gen. Harney, then stationed near Fort Randall, Dak., defeated a large body of Indians, punishing them badly. Whilst at that station also at another time he secured the delivery of three Indians who had caused the death of Mrs. Benner, wife of the first settler of Dakota county, had them tried, condemned, and executed.

The records of the war department show that Fort Grattan was established at Ash Hollow, on the Oregon route 188 miles west of Fort Kearney, September 8, 1855, and abandoned October 1, 1855. This was undoubtedly located by Gen. Harney at or near the scene of this battle to protect those passing over this route, and abandoned when all danger had passed.

Several other sharp fights are mentioned as having taken place near Julesburg.

In the spring of this year Gen. John M. Thayer and Gov. A. D. Richardson were appointed by the governor to hold a council with the Pawnees concerning certain acts of depredation said to have been committed by them, and a council was held with these chiefs at their villages on the Platte. They denied the depredations and claimed that they were done by the Poncas. [Appendix "D."]

Later on, in July, 1855, two young men breaking prairie near Fontenelle were attacked by hostile Sioux, killed and scalped. The Indians then retreated, pursued by volunteer citizens. The country was aroused and messengers sent to Omaha for help. Other hostile parties of Indians being found lurking in the vicinity, Gov. Izard at once issued the following proclamation and order to Gen. Thayer:

EXECUTIVE OFFICE, OMAHA CITY, NEBRASKA TERRITORY, July 30, 1855.— WHEREAS, It has been made known to me that there is a party of hostile Sioux Indians lurking in the vicinity of Fontenelle, in Dodge county, and that they have actually made an assault upon the settlement by wantonly murdering and scalping two of the citizens of this territory in the most barbarous manner, without the slightest provocation :

Therefore, I, Mark W. Izard, governor and commander in chief of the territory of Nebraska, with a view to prevent the repetition of similar outrages, have issued and caused to be directed to Brigadier General Thayer the following order ;

EXECUTIVE OFFICE, OMAHA CITY, NEBRASKA TERRITORY, July 30, 1855— To Brigadier General J. M. Thayer, First Brigade, Nebraska Militia, Sir—You are hereby commanded, authorized and required to cause to be raised a volunteer company, to be able-bodied men not to exceed forty, rank and file, armed and equipped for effective service, in addition to the First company of Nebraska Volunteers, which is hereby placed at your disposal, and forthwith cause the same to take a position at some eligible point in the vicinity of Fontenelle, Dodge county, Nebraska territory, for the purpose of protecting the lives and property of the settlers from further aggression, and continue to occupy said position until relieved by an adequate force of government troops, or otherwise. Should the above force prove insufficient, you are hereby authorized to call out such additional force as may in your discretion be deemed necessary to afford ample protection to the frontier settlements in that vicinity, and you are further requested to place the troops under your command in a position strictly defensive, carefully abstaining from and guarding against all aggressive measures.

Given under my hand at my office the day and date above mentioned.

MARK W. IZARD,

Governor of the Territory of Nebraska and Commander in Chief of the Militia.

There is no record at this date as to the First company, Nebraska volunteers, except that July 30, 1855, F. W. Fox was appointed second lieutenant of that company. Capt. William E. Moore raised the Second company, Nebraska volunteers, under the call of Gen. Thayer, in pursuance of the above authority of the governor, and the commissions of all its officers were dated July 30, 1855. Gen. Thayer, accompanied by these troops, proceeded at once to the scene of trouble. They acted as cavalry in conjunction with a company at Fontenelle, commanded by William Kline, patrolling and scouting the country in that vicinity, until all danger and fear of attack had passed. During this period of trouble companies were organized at several different places in the territory and held in readiness for service if needed. [See Appendix "C."]

In December, 1855, the territorial legislature again met, and Gov. Izard, who had succeeded Gov. Burt, speaks strongly in his message of the exposed condition of the frontier, and recommends the establish-

ment of posts by the general government along the line of ceded territory as a means of establishing "an impassable barrier against the hostile incursions of the countless hordes of savages that inhabit the country north and west of us," and says that he, soon after his arrival, had called the attention of the war department to the necessity of an early establishment of military posts at suitable points, but that the request had not been complied with, "not from any disinclination on the part of the authorities, but in consequence of their inability to detail troops for that service." He says that with the opening of spring the troubles began and complaints were almost daily made to him, "accompanied by the strongest appeals from our injured citizens," for that protection which their exposed condition required, that he was reluctantly compelled to waive these petitions for the time being, but on the 30th of July, receiving an express from Fontenelle communicating the painful intelligence that a party of hostile Sioux had attacked citizens, robbed them of their property, wounded, and scalped men and wounded one woman, who marvelously escaped with her life, and other depredations being committed, he had issued the call and order to Gen. Thayer, which has been quoted above. That Capt. Wm. E. Moore, with forty men, for whom arms, ammunition, and equipments had been secured from every quarter, was dispatched to Fontenelle within fifteen hours from the receipt of the intelligence. That on their arrival it was found necessary to establish a post in that vicinity and also to station a small company at Elkhorn City (Capt. Fifield) and one at Tekama (Capt. B. R. Folsom), which stations were kept up until the 9th of October, when it was ascertained that the Indians had returned to the interior and no further danger being apprehended the troops were withdrawn. He commends the services of these volunteers and says an appeal had been made to congress for an appropriation to meet the unavoidable expenditure consequent upon this demand for their service. He also says that the quota of arms belonging to the territory had been distributed to the several companies organized for the defense of the frontier and he urges the passage of a law encouraging the organization of volunteer companies, and providing for the distribution of arms to such companies. He also recommends a memorial to congress for a military road from Fort Pierre, Dak., to Fort Leavenworth.

It is a historical fact that the construction of these military roads

and bridges across the various rivers by the army under the direction of the war department did much to develop the territory, as did the establishment of military posts at suitable points. In this manner, as well as by its protecting power, the army has led the van of civilization. The money expended in the maintenance of that army has more than repaid the people by the services rendered in such matters alone. It was expended for objects which inured to the ultimate benefit of the people rather than for the personal luxury, ease, or even the comfort of the soldier.

During this year Col. Sarpy established a fur trading post at Decatur, on the Missouri river, between Elm and Wood creeks, Burt county.

An act approved January 23, 1856, was passed by the legislature then in session, entitled "An act to organize the Nebraska volunteers."

It provided that an independent volunteer militia organization should be formed, to be known as "the Nebraska volunteers," and that the territory of Nebraska should constitute one division, said division to consist of two brigades, all that portion of the territory north of the Platte river to constitute the first brigade, and that lying south of it to constitute the second brigade. Regiments and battalions were to be formed in each brigade according, as in the opinion of the commanding officers of the brigade and division, the increase of population and wants of the service might require, the number in each regiment, including officers and men, not to exceed 1,000.

The companies were to be formed by the voluntary enrollment of individuals, not to exceed sixty-four in number, including officers and men, and could determine to which branch of the service they would belong, infantry, cavalry, artillery, or rifles.

The officers provided for were as follows: One major general, in command of the division; two brigadier generals, one in command of each brigade, and a brigade inspector to be attached to each.

The regimental officers were to be a colonel, lieutenant colonel, major, adjutant, surgeon, quartermaster, and commissary.

The company officers were to consist of a captain, first lieutenant, second lieutenant, and one orderly sergeant and one corporal. Rather an impossible organization for active service, so far as non-commissioned officers were concerned, if confined to this prescribed limit.

The major general and brigadier generals were to be chosen by the

two houses of the general assembly in joint convention, at the first election, and after that by election by the commissioned officers of each brigade and regiment, and all other brigade and regimental officers were to be so elected by the commissioned officers of each brigade and regiment. Each company was to select its own officers, and all were to be commissioned by the governor.

Each company was required to meet three times in each year, viz. on the first Tuesday of April, May, and June, for exercise in drill and military evolutions, and there was to be an encampment of each brigade of three days' duration for drill, inspection, and review. Commanding officers of each regiment were to report on or before the 1st of May and the 1st of October in each year the strength and condition of each company belonging to the regiment, and the major general was required to report the same to the governor and commander-in-chief.

They were to be supplied with arms from the quota belonging to the territory, and all companies heretofore organized were considered as enrolled under this act. This organization was to be subordinate to civil authority and obey the orders of the governor and commander in-chief, who was authorized to order them into active service whenever in his judgment it should be necessary in order to protect the lives and property of the people of the territory and preserve the public peace. January 24, in joint session of the council and house of representatives, in accordance with the provisions of this act John M. Thayer was unanimously elected major general of the territory, and Hon. L. L. Bowen also unanimously elected brigadier general of the First brigade or northern district. For the place of brigadier general commanding the Second brigade, the southern district, the candidates were Hon. John Boulware, of Otoe county; H. P. Downs, H. P. Thurber, and Thomas Patterson, of Cass county. It resulted in the election of H. P. Downs, who appears to have been appointed inspector general of the Nebraska volunteers January 31, 1855, which position he resigned February 20, 1856. [Appendix "E."]

Military roads were asked for by this legislature and congress asked to pay the expenses of the volunteer militia which had been called into service and to give to each who had served at least fourteen days 160 acres of land.

During the entire year of 1856 there were troubles with the Indians

and a company is said to have been formed, but not called into service, in Nemaha county, with O. F. Lake, then deputy United States marshal for the South Platte district, as captain.

A family by the name of Whitmore, living near the salt basin in the vicinity of where Lincoln now stands, were driven from home, and anticipating further trouble, Weeping Water was announced as a rendezvous and about 500 men assembled there from Omaha, Nebraska City, and all parts of Cass county. Gen. Thayer sent a six pound gun, which got as far as Plattsmouth, and followed with the force from Douglas county under command of Capt. Robert Collins. Scouts were sent out toward Ashland and the salt basin and secured one prisoner, who being brought in escaped during the night. It being ascertained that the act was that of an irresponsible party of Indians, and that the Pawnees were not on the war path the command was disbanded and returned home.

The chief village of the Pawnees at this time was located south of the Platte and a few miles from Fremont. The encroachments of settlers at Fremont upon the timber caused the Indians to threaten the lives and property of the whites if they continued to attempt to build a city there. The latter asked and obtained three days' grace, and immediately sent a messenger to Omaha for help. Gov. Izard furnished him with a box of ammunition and a squad of eight men and he returned within the time and gathered enough to increase their force to twenty-five. The Indians concluded to postpone their destructive operations for the time being. There were other incidents of trouble which cannot be given for lack of time and space.

January 3, 1857, Gov. Izard sent his message to the territorial legislature, and in it says, "We have occasion to fear serious trouble with them (Indians) and our people during the present year unless they are speedily removed." Gov. Izard left the state October 28, 1857, and Secretary Cuming again became acting governor.

The territorial legislature met again in December, and Acting Governor Cuming in his message recommended a military bridge across the Platte river, for the reason that "All good citizens ardently desire that the sectional alienation heretofore existing between the two sections of the territory shall cease forever," and it was hoped this would contribute to this desired result. This is especially interesting in the light of today, when bridges and railroads closely connect these two

sections without as yet entirely doing away with the feeling, especially in political matters, where the first question as to the candidate usually is, Is he from the North or South Platte country? and each section has to be distinctly recognized. During these sessions the military committee of the council seems to have had but little of military affairs to occupy its attention. We find it principally considering and reporting upon other matters—as to new land districts, daily mails, and even matters relating to a university—whilst that of the house seems to have made no reports.

Gov. Cuming complains that whilst the military spirit of the citizens seems unabated, the drill and discipline of the volunteer companies have been greatly neglected, and in many cases their organization was imperfect on account of changes in residence, and says their deficiencies should be supplied and “we should be provided at all times for self defense or co-operation with the government against internal enemies.”

The last official act of Secretary Cuming is dated December 17, 1857. He died at his residence in Omaha, March 23, 1858, aged thirty years. As secretary of the territory from its first organization, and much of the time after that until his death acting governor, his name is interwoven with every part of its history. No military history is complete without his name and a partial record of his services. Many of the officers serving in the military organizations of the territory were commissioned by him. No fitting tribute to his memory can be paid in this paper, but the historian will record the deeds of this man, who died young in years but old in experience and a leader in the affairs of the early history of this state.

In 1858, February 19, W. A. Richardson was sworn in as governor, and on the death of Secretary Cuming his (Cuming's) private secretary, John B. Motley, became acting secretary of state until the arrival of J. Sterling Morton, who succeeded Cuming and who qualified July 12, 1858.

The border troubles between this territory and Missouri occurred during this period and old John Brown is said to have had one of his fugitive slave stations near Falls City.

September 22 Gov. Richardson sent in his last message to the general assembly and returned to his home in Illinois, Secretary J. Sterling Morton becoming acting governor by virtue of a provision of the organic act.

During the conflict between the United States and the Mormons, against whom an expedition was sent during 1858, the settlers sympathized with the government and Nemaha county raised a company for service but it was not called for. Its officers were: Captain, M. A. Clark; first lieutenant, W. A. Finney; orderly sergeant, B. B. Thompson.

In 1859 troubles with the Indians were frequent and people in all parts of the territory collected at night, some to sleep whilst others kept guard.

Samuel W. Black having been appointed governor by James Buchanan, president of the United States, arrived and entered upon his official duties May 9, 1859.

In March Acting Gov. Morton had sent a letter to the commissioner of Indian affairs relative to the depredations of the Pawnees and asking when they would be removed. Later on in the year occurred what is known as

"THE PAWNEE WAR."

In June the Pawnees left their camp, marching across the country between the Platte and Elkhorn rivers, ostensibly for their spring hunt, and camping just below the village of Fontenelle. A day after their departure therefrom a party of bucks crossed the river above that place and attacked and robbed a man by the name of Uriah Thomas, running off his stock. A day or two later parties of settlers began to come in from West Point and DeWitt saying that the Indians were scattered through their section of the country committing depredations. At West Point, in the absence of the men, the Indians had demanded food and an ox had been given up to them. The next day they returned in a larger number, but a body of citizens had collected at the house of one of the settlers, and seeing an armed party of Indians approaching, concealed themselves with the view of permitting the Indians to enter and then to capture them. The Indians, having entered, were surprised and ordered to lay down their arms. They replied with a general attack upon the settlers, which was met by them, and four Indians killed. One white man, J. H. Peters, was wounded. This opening of actual hostilities placed the settlers in a dangerous position, as the Indians were said to number about 700 to 800 warriors, whilst the whites could muster a force of but about fifty-five or sixty.

A statement of these facts, and of other instances of depredation, was made and an appeal for help, signed on behalf of the citizens of Fontenelle by John Evans, John M. Taggart, S. Searte and W. M. Saint, committee, was sent to Gov. Black.

The governor happened to be absent for the purpose of delivering an address on the 4th of July, at Nebraska City, but the matter coming to the knowledge of the citizens of Omaha, they united in a petition, dated July 3, 1859, and signed by the prominent residents there, asking Secretary Morton to take immediate action as acting governor in the absence of Gov. Black. Secretary Morton did so. He immediately addressed a letter to Col. Charles A. May, United States army, commanding at Fort Kearney, stating the circumstances and asking him to send down from Fort Kearney to Fontenelle, on the Elkhorn river, "a sufficient detachment of cavalry for the punishment of the Indians and the protection of a defenseless community," and in a post-script advises him to take the route by way of Fremont to Fontenelle.

This letter was received at Fort Kearney July 5, but Col. May was not then in command there. The post at that time was commanded by Maj. William W. Morris, Fourth United States artillery, and his adjutant, Lieutenant William G. Gill, Fourth artillery, replied, by his direction, that all of his available force had, by a recent order from department headquarters, been sent in the direction of Nebraska City to protect the transportation trains of Russell, Majors, and Waddell, government contractors, but that he would immediately send an express to Lieut. B. H. Robertson commanding company "K," Second dragoons, to proceed without delay to afford the settlers the protection asked for.

Gen. Thayer had started at once with the Omaha light artillery, Capt. James H. Ford, and upon arrival and investigation of the facts, stated that the first reports were verified and that no peace could be established without vigorous measures, and he was ready to proceed to hostilities on receipt of the governor's orders. This communication was received at Omaha July 5, and Gov. Black having returned, and bringing with him Lieut. Robertson and his dragoons from Nebraska City (which indicates that Maj. Morris must have made no delay in sending his express) they started July 6, with supplies, etc., for the scene of action.

Upon their joining the expedition Gen. Thayer reorganized his com-

mand, placing Lieut. Robertson as second in command on account of his military experience. The original petition of Omaha citizens, a copy of the letter to Col. May and the reply thereto, is now amongst the papers in the adjutant general's office of the state. [Appendix "F."]

I have not the space to give a complete and particular description of this expedition. Gen. Thayer had with him about 200 men and one piece of artillery. They marched through a country without roads, not yet having been surveyed, in exceedingly hot weather, trying both to their animals and men. The Indians were, however, proceeding slowly, so that one day's march of the troops covered about as much ground as two days' march of the Indians, and they came up with them in about four days. About sunset the day before reaching them they discovered a single lodge occupied by "Jim Dick," an under chief of the Omahas, who informed them that the Pawnees had been joined by the Omahas and Poncas and numbered at least 5,000; that they would encamp about seven or eight miles further on. Holding this Indian and his squaw to prevent their giving information of his approach, Gen. Thayer determined to break camp in time to reach the Indians about break of day, hoping to take them by surprise.

Accordingly camp was broken at 3 o'clock in the morning and the Indian encampment reached just as the sun was beginning to tint the prairie with its rays. The Indians were still in their tents, except the squaws, who were beginning to stir up the fires and make preparations for breakfast, all unsuspecting of attack. Gen. Thayer immediately ordered a charge of the entire force, baggage wagons and all, and halted his command just on the edge of the camp. He had the order to fire almost upon his lips when several chiefs, who were warned by squaws as they saw the soldiers coming, came running out of their tents with white wolf skins and other emblems of peace, and one of them, Peter Nesharo, with an American flag, which had been presented to him by President Pierce or Buchanan when on a visit to Washington, all crying out "no shoot," "me good Indian," etc.

The interpreter was directed to communicate with them and he told them of their acts. They replied that it was their bad young men and asked for a council. Gen. Thayer insisted as a prior condition that these bad young men should be given up. This was done and they gave up seven, one of whom was found to be so severely wounded, having been one of the party so badly handled at West Point, that he

could not live, and being thereupon released he soon died, leaving six in their hands.

The council was held and the chiefs agreed to control their young men and signed a paper to that effect, and also authorized the keeping back of certain moneys due them from the government to defray the expenses of the expedition. The government, however, failed to recognize the authority and the money was never paid to the whites.

The six Indians were secured by ropes to the wagons and the expedition started on its return, leaving, as they supposed, the Indians behind them. But next morning they found that they were encamped near by, and a squaw being permitted to approach the prisoners, gave one of them a knife with which he stabbed himself, and during the excitement in consequence of this, she cut the ropes binding the other prisoners and they escaped, followed by the guards. One was recaptured and the guards reported that they had killed or wounded the others, but, unfortunately, had shot an Omaha Indian, into whose camp the escaping men had run. This unfortunate accident seemed likely for a time to lead to trouble, as the Omahas were friends of the whites. Their chiefs assembled and came to the camp in warlike dress and asked for satisfaction. The matter was settled by leaving medicine for the wounded and paying one of the Omaha Indians for a pony unintentionally killed. The expedition then returned safely, and thenceforth the Pawnees were peaceable. [Appendix "G."]

Gov. Black says in his message to the next general assembly that "since that time the Indians have manifested no disposition to molest any one, and the settlers repose under a sense of security not hitherto enjoyed." The place where the expedition came up with the Indians is the very spot on which the depot of the present town of Battle Creek is located, about fifteen miles north-west of Norfolk. In returning, the expedition struck southward to Columbus and thence followed the Platte back to Omaha. They had been absent about three weeks and a great deal of anxiety for their safety was felt during this time amongst the people of Omaha, Fontenelle, and throughout the Platte valley, Gen. Thayer not having sent any messenger back because he couldn't spare a man or an animal.

With the year 1860 began the serious rumblings of a war which was to take from Nebraska's settlers men who had shown themselves able to protect their homes and the frontier and who now were ready

to stand by the government in that great struggle which threatened its life. But of this little can now be told. It is a history of itself, the records of which, in the present condition of the papers in the adjutant general's office of the state, are not easily accessible.

I have been struck with the fact throughout this record, that the Indians, after once feeling the power of the white man—his determination to protect himself and his property—and realizing that any overt act of theirs against the whites always brought its punishment by them, were able to restrain their naturally savage dispositions and the inclination to steal, plunder, and rob. Their reasoning told them the penalty would follow. The men with whom they had to deal in those days were essentially fighters in every sense of the word. Given the provocation and there was no need to repeat it. Every time they received an injury they said "we are ready," and they waited not, but made the punishment so inevitable that they conquered peace, and the savages learned to leave the settler to peaceably till the lands once regarded as their own.

They were brave men—those early settlers—not only when fighting the wily savage, but on the battlefields of civilized warfare, fighting for the union, where they made a record second to none, of which the state may well be proud.

One figure, too, stands out prominently in all this history connected with every military affair or expedition, the first brigadier general and the first major general of the territory, colonel of its first regiment to take the field in defense of the union; brigadier and brevet major general United States volunteers, and then, after the war, United States senator, and now, the recently elected governor of our state, John M. Thayer.*

* The sources of information from which the above has been derived are "History of Nebraska, 1882;" "County Histories;" Official Register U. S., 1779 to 1879; "Cullom's Biographical Register of Graduates U. S. Military Academy;" Legislative Proceedings and Reports; Records of the Governor's and Adjutant General's office, and personal information, as to details, obtained from Governor Thayer and others.

APPENDIX.

A.

LIST OF COMMANDERS OF FORT KEARNEY, NEB., FROM DATE OF ESTABLISHMENT JUNE 17, 1848 TILL ABANDONMENT IN 1871, AS GIVEN IN THE HISTORY OF KEARNEY COUNTY, NEB., IN "HISTORY OF NEBRASKA," PUBLISHED IN 1882.

1	Capt. Childs.....	Missouri volunteers, June 17, 1848.
2	Major Ruff.....	U. S. Mounted rifles (Charles P. Ruff.)
3	Col. Crittenden.....	U. S. Mounted rifles (Major Geo. B. Crittenden.)
4	Phil Kearney.....	(Captain 1st U. S. Dragoons.)
5	Gen. Harney.....	(Col. Wm. S. Harney; 2d Dragoons.)
6	Major Morris.....	4th U. S. Artillery..... (Wm. W. Morris, 1858-9.)
7	Capt. Wharton.....	6th Infantry (Henry W. Wharton.)
8	Col. Chas. A. May...	(Major and Bvt. Lient.-Colonel 2d Dragoons.)
9	Capt. McGowan.....	4th Artillery..... (The army register does not show this name.)
10	Col. Bachus.....	6th Infantry..... (Electus Backus, his record does not show it.)
11	Col. Miles.....	2d Infantry (Dixon S. Miles, 1860-1.)
12	Col. Alexander.....	10th Infantry..... (E. B. Alexander, 1862-3)
13	Capt. Fisher.....	2d Nebraska vols..... (No such name on rolls of Adj. Gen. office.†)
14	Col. Wood.....	7th Iowa vols..... (Probably Major John S. Wood.)
15	Col. R. R. Livingston	1st Neb. vols.....
16	Col. H. B. Carrington	18th U. S. Infantry..... (Winter of 1865-6.)
17	Col. Baumer.....	1st Neb. vols. (Lt. Col. Wm. Baumer.)
18	Maj. T. J. Majors.....	1st Neb. vols.....
19	Capt. Ladd.....	(Regt. not given.)
20	Gen. Wessells.....	(Col. H. W. Wessells, 18th U. S. Inf., June 12 to October 27, 1866).
21	Lieut. Dibble.....	(Capt. Chas. E. Dibble, 27th Infantry.)
22	Major A. Dallas.....	(Capt. 30th Infantry.)
23	Col. Gibbon.....	(Col. John Gibbon, 36th Inf., Dec. 1, 1866.)
24	Lieut. Foulk.....	(Lient. Wm. L. Foulk, 36th Inf.)
25	Col. Ransom.....	(Regt. not given, probably 3d U. S. Artillery.)
26	Maj. Sinclair.....	(Regt. not given.)
27	Capt. Fenton.....	(Reuben N. Fenton, 27th Inf.)
28	Capt. Pollock.....	(Capt. Pollock, 21st Inf.)

* Gov. Furnas writes that there was no such captain in the regiment.

B.
VOLUNTEER REGIMENTS.

BY THE ACTING GOVERNOR OF NEBRASKA.
A PROCLAMATION.

EXECUTIVE DEPARTMENT,

NEBRASKA TERRITORY, December 23, 1854.

WHEREAS, Different Indian tribes, within the limits of this territory, have made manifest their purpose to commit hostilities upon the pioneers of Nebraska; some of them openly threatening to root out the frontier settlements;

AND WHEREAS, Some bands of said tribes have committed frequent depredations upon parties of emigrants to Utah, Oregon, and California during the past season, and have threatened to renew their attacks in the coming spring;

AND WHEREAS, The gifts of the government seem only to stimulate their treachery and animosity:

NOW THEREFORE, as a protection to the pioneers who have settled upon the outskirts of our territory, and as a guarantee of security to emigrants during the coming season, I, Thomas B. Cuming, acting governor of Nebraska, have issued this my proclamation, recommending that the citizens of the territory organize, in their respective neighborhoods, into volunteer companies, constituting in all two regiments, one north and one south of the river Platte.

Said companies shall elect their own officers, the regimental officers being commissioned by the commander-in-chief.

Such companies are recommended to keep such arms and ammunition as they can procure, in good order and ready for service; also, in the frontier settlements, to establish night sentinels, and to provide block houses for shelter in case of attack, until word can be sent to other companies.

It is expressly enjoined that these companies are not to use force in invading or pursuing hostile tribes, but only in self-defense, and then no longer than may be necessary; but an express is to be immediately dispatched to headquarters, at the seat of government, whence reinforcements will be sent to pursue the invading Indians.

In carrying out these necessary measures of self-defense and of protection of white settlers and friendly Indians from robbery and murder by roaming bands of savages it is believed that every good citizen will vigorously co-operate, so that should the general government fail to grant our just petition for a sufficient number of mounted rangers, our territorial volunteers may prove themselves a capable defense of those who come among us as emigrants or actual settlers.

In pursuance of this proclamation I have this day appointed and commissioned regimental officers, viz.: One colonel, one lieutenant colonel, one major, and one adjutant for each regiment.

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the territory.

Done at Omaha City, this 23d day of December, in the year of our Lord 1854, and of the Independence of the United States the 78th, and of this territory the First.

THOMAS B. CUMING,
Acting Governor of Nebraska.

C.

The following commissions appear from the records to have been issued at the dates indicated. There is no record showing the appointment of any officers prior to those first named, though from their rank it must be inferred that the other offices of the organization to which they belonged had been filled, and that those of the 1st Regiment Neb. Vols., were already filled:

COMMISSIONS ISSUED UP TO JANUARY 1, 1855.

John B. Boulware,	Pierce Co.	Colonel	2d Neb. vols.
J. W. Roberts,	Richardson Co.	Lieut.-Colonel	2d Neb. vols.
M. Mickelwait,	Cass Co.	Major	2d Neb. vols.

COMMISSIONS ISSUED IN 1855.

Brigade.

John M. Thayer,	Douglas Co.	Brig. Gen.	Comdg., 1st Brig. Neb. vols. Feb. 7, '55.
J. D. N. Thompson,	Cass Co.	Adjutant	1st Brig. Neb. vols. Jan. 20, '55.
John B. Folsom,	Burt Co.	"	" Feb. 7, '65.
Peter A. Sarpy,	Douglas Co.	Quar. Mas. Gen.	" "
Wm. English,	Dodge Co.	Com. Gen.	" "
Hiram P. Downs,	Pierce Co.	Inspector Gen.	" Jan. 30, '55.

Regimental.

A. J. Hanscom,	Douglas Co.	Colonel	1st Reg't Neb. vols. Feb. 7, '55.
Wm. C. James,	Washington Co.	Lieut. Col.	" "
Hascall C. Purple,	Burt Co.	Major	" "
Thos. L. Griffey,	Burt Co.	Adjutant	" "
John B. Robertson,	Burt Co.	Quartermaster	" "
Anselum Arnold,	Washington Co.	Commissary	" "
M. H. Clark,	Dodge Co.	Surgeon	" "
Geo. L. Miller,	Douglas Co.	Asst. Surgeon	" "
David M. Johnston,	Richardson Co.	Colonel	2d Reg't Neb. vols. Jan. 1855. (vice Boulware, resigned.)
J. W. Roberts,	Richardson Co.	Lieut. Col.	2d Reg't Neb. vols. (Holding position as previously shown.)
M. Mickelwait,	Cass Co.	Major	2d Reg't Neb. vols. (Holding position as previously shown.)
Wm. McLennan,	Pierce Co.	Adjutant	2d Reg't Neb. vols. Jan. 30, '55.
Richard Brown,	Forney Co.	Quartermaster	" Feb. 7, 1855.
Gideon Bennett,	Pierce Co.	Commissary	" Jan. 30, 1855.
Isaiah H. Crane,	Richardson Co.	Surgeon	" Jan., 1855.
Wm. Hamilton,	Cass Co.	Asst. Surgeon	" Jan. 20, 1855.

The following companies were organized during the year and assigned to one or the other of these regiments. It was proposed that the 1st Regiment be composed of companies north of the Platte river, and the 2d Regiment of those companies south of the Platte river, and from the location of the regimental officers, this seems to have been carried out and the companies named below will have been assigned to the 1st Regiment or the 2d Regiment according to its location, north or south of the river:

1ST COMPANY; FONTENELLE RIFLE RANGERS.

Wm. Kline,	Captain,	Oct. 17, 1855.
John W. Pattison,	1st Lieutenant,	" "
F. W. Fox,	2d Lieutenant,	July 30, 1855, and Oct. 17, 1855.

2d COMPANY.

Wm. E. Moore,	Captain,	July 30, 1855.
Alf. D. Goyer,	1st Lieutenant,	July 30, 1855 (resigned Aug. 30, 1855).
Cameron Reeves,	2d Lieutenant,	July 30, 1855.
Cameron Reeves,	1st Lieutenant,	Aug. 30, 1855.
Thos. J. Latham,	2d Lieutenant,	" "

3D COMPANY; TEKAMA VOLUNTEERS.

B. R. Folsom,	Captain,	Aug. 7, 1855.
Wm. B. Beck,	1st Lieutenant,	Aug. 6, 1855.
Wm. Bates,	2d Lieutenant,	" "

4TH COMPANY; ELKHORN VOLUNTEERS.

— Fifield,	Captain,	Aug. 7, 1855.
Wm. A. Jones,	1st Lieutenant,	Aug. 26, 1855.
George Eayre,	2d Lieutenant,	" "

5TH COMPANY; CALHOUN RANGERS.

Thos. Allen,	Captain,	Aug. 15, 1855.
Theodore Thompson,	1st Lieutenant,	" "
Thos. Low,	2d Lieutenant,	" "

ROCK BLUFF HORSE GUARDS.

Thos. Patterson,	Captain,	Sept. 8, 1855.
Wm. T. Laird,	1st Lieutenant,	" "
Martin M. Neff,	2d Lieutenant,	" "

NEMAHA GUARDS.

Wm. Thurber,	Captain,	Sept. 8, 1855.
W. A. Finney,	1st Lieutenant,	" "
Hiram Alderman,	2d Lieutenant,	" "

ROCK BLUFF GUARDS.

James Kidwell,	Captain,	Oct. 8, 1855.
Wm. Rakes,	1st Lieutenant,	" "
Wm. Ellington,	2d Lieutenant,	" "

BELLEVUE RIFLEMEN.

Joseph Dyson,	Captain,	Oct. 11, 1855.
Hugh McNeely,	1st Lieutenant,	" "
Wm. Wiley,	2d Lieutenant,	" "

PLATTSMOUTH CAVALRY.

Jonathan Kearnes,	Captain,	Oct. 11, 1855.
Allen Watson,	1st Lieutenant,	" "
Lloyd Lucas,	2d Lieutenant,	" "

PLATTSMOUTH INFANTRY.		
James Cardwell,	Captain,	Oct. 11, 1855.
Henry Watson,	1st Lieutenant,	" "
Z. Cardwell,	2d Lieutenant,	" "

LA PLATTE GUARDS.		
Wm. Larimer, Jr.,	Captain,	Oct. 17, 1855.
S. N. Mahon,	1st Lieutenant,	" "
Chas. E. Watson,	2d Lieutenant,	" "

DESOTO MINUTE MEN.		
Chas. D. Davis,	Captain,	Oct. 22, 1855.
Z. Jackson,	1st Lieutenant,	" "
A. Phinney,	2d Lieutenant,	" "

CUMING GUARDS.		
Chester M. Hamilton,	Captain,	Oct. 24, 1855.
Thos. C. Hungate,	1st Lieutenant,	" "
John Thorp,	2d Lieutenant,	" "

It seems probable that Capt. Wm. Kline of the 1st Company, located at Fontenelle, and Lieuts. Pattison and Fox, held their positions long before the date of the commission as herein given, as the 1st Company was to be at the disposal of Gen. Thayer, by Gov. Izard's order of July 30, 1855, and in connection with Capt. Wm. E. Moore's Co. (the 2d Co.) patrolled and scouted the country around Fontenelle until all danger had passed.

D.

APPOINTMENT OF GEN. THAYER AND GOV. RICHARDSON TO HOLD COUNCIL WITH THE PAWNEE CHIEFS CONCERNING CERTAIN ACTS OF DEPREDACTION CHARGED AGAINST THE PAWNEES.

EXECUTIVE OFFICE, OMAHA CITY,
NEBRASKA TERRITORY, May 23, 1855.

It having been made known to me that depredations have recently been committed upon the property of sundry citizens of Dodge county, Nebraska territory, supposed to have been done by the Pawnee Indians; in order that the truth may be known and the peace of our citizens be preserved, I, Mark W. Izard, governor of the territory of Nebraska, do hereby appoint, authorize and require Gen. John M. Thayer and Gov. O. D. Richardson to proceed at once to the Pawnee village situated on the Platte river, in company with the government interpreter for said tribe, and, through him, to hold a council with the principal chiefs, touching the matter, and to ascertain whether or not the above charge is well founded, assuring the Indians that the whites entertain no hostile feelings toward them, and are anxious to live in peace with them, but that they cannot suffer them to steal and drive off their stock with impunity, but will hold them responsible for any depredations they may commit.

Given under my hand at my office the day and date above mentioned.

MARK W. IZARD,
Governor of the Territory of Nebraska.

REPORT OF GEN. THAYER AND GOV. RICHARDSON CONCERNING COUNCIL HELD
WITH PAWNEE INDIANS IN ACCORDANCE WITH THE DIRECTION OF GOV.
IZARD.

OMAHA CITY, May —, 1855.

To His Excellency, Governor Izard:

We, the undersigned, having been appointed by you to proceed to the Pawnee villages on the Platte to ascertain whether any of the Indians of the tribe are concerned in the depredations lately committed upon the property of the white settlers on the Elkhorn river, etc., beg leave respectfully to state that on the day of the reception of the notice of our appointment we left this place for the villages by the way of Bellevue, and there we were met by Mr. Allis, the U. S. interpreter for the Pawnees, who accompanied us on this service.

On the third day from the time of our departure we arrived at the upper village of the Loupe and Tapa bands of the Pawnees and had a talk with the chiefs in council in presence of the bands, numbering, perhaps, two or three hundred. We were received and treated in a very friendly manner by them. After stating to them the fact of the stealing of a number of oxen on the Elkhorn, and your instructions to us, they replied through the interpreter that they were glad to hear of the kind and friendly feelings that were entertained toward them by the government and people of the territory. They said they wished to be on friendly terms with us—that they were glad we had come among them; that they knew of no depredations committed by the Pawnees upon the whites; that the Poncas were frequently about and were enemies of theirs, constantly annoying them, and they presumed the Poncas did the thing complained of.

We then left them, returned to the west side of the Platte, and in the morning proceeded down the river four miles, opposite to where the lower village, or, as it is called, the Grand Pawnee village stands. After waiting a short time on the bank of the river the chiefs of the Grand Pawnees came across and, through the interpreter, we made known to them our business. In a few minutes they replied that they knew of no depredations by the Indians of their band or tribe upon the whites of Nebraska; that a few days since some of the Poncas were about and they sent out a number of their tribe to find them, and they came across an ox that was wounded; that they killed the ox and used him; that the ox had several Ponca arrows in him and they supposed from that that the Poncas had shot him with arrows; and that their band had nothing further to do with the affair than as above stated.

In answer to the question, how it happened that the ox was in the direction of their village from the Elk Horn, they said it was a trick of the Poncas to drive the ox toward their village to throw suspicion from themselves onto the Poncas. (*Pawnees?*).*

The chiefs of both bands were distinctly told that though the whites were friendly to the Indians, yet they will not suffer the Indians to take their property or injure them in any way, and that the Indians will be held to a strict account and punished for any injuries they may inflict upon the whites. We learned from a party of white men from the Loup Fork, that a band of about a dozen Poncas had passed down two days before the oxen were driven off and the Pawnees informed us that they had stolen several ponies from them.

We regret that we were unable to obtain any definite information in regard to the matter, but we applied to every source within our power, with the above result.

Respectfully submitted,

J. M. THAYER.

O. D. RICHARDSON.

E.

In 1856 under the new laws the following commissions appear to have been issued:

John M. Thayer,	Major General,	Jan'y 24, 1856.
L. L. Bowen,	Brig. General comm'g 1st Brigade,	Jan'y 24, 1856.
H. P. Downs,	" " " 2d "	" "
H. P. Downs,	Inspector General Nebr. Vols.,	Jan'y 30, 1856, (resigned Feb. 20, 1856).

BUCHANAN GUARDS.

Isaac Albertson,	Captain,	Oct. 31, 1856.
George Emerson,	1st Lieutenant,	" "
H. O. Jopp,	2d Lieutenant,	" "

COLUMBUS GUARDS.

John Rickley,	Captain,	Nov. 5, 1856.
J. P. Becker,	1st Lieutenant,	" "
John Wolfel,	2d Lieutenant,	" "

In 1857 the following commissions were issued:

ROCK BLUFF HORSE COMPANY.

John Clemnow,	Captain,	Nov. 21, 1857.
W. T. Laird,	1st Lieutenant,	" "
L. Young,	2d Lieutenant,	" "

CASS COUNTY GUARDS.

R. F. Fimple, (?)	Captain,	Mar. 21, 1857.
J. Rakes,	1st Lieutenant,	" "
J. M. F. Haygood,	2d Lieutenant,	" "

CEDAR CREEK BLUES.

I. T. Bergen,	Captain,	April 20, 1857.
Wm. Pozier,	1st Lieutenant,	" "
Wm. Herald,	2d Lieutenant,	" "

NEBRASKA CITY LIGHT INFANTRY.

W. B. Ball,	Captain,	April 20, 1857.
G. W. Boulware,	1st Lieutenant,	" "
I. C. Cook,	2d Lieutenant,	" "

OTOE RIFLES.

Frank Bell,	Captain,	April 20, 1857.
A. McGregor,	1st Lieutenant,	" "
A. F. Harvey,	2d Lieutenant,	" "

ELKHORN INFANTRY.

H. R. Benjamin,	Captain,	April 25, 1857.
M. W. E. Purchase,	1st Lieutenant,	" "
I. Hurd,	2d Lieutenant,	" "

CASS COUNTY DRAGOONS.

R. G. Doom,	Captain,	June 11, 1857.
S. Stafford,	1st Lieutenant,	" "
N. Lawton,	2d Lieutenant,	" "

ST. JOHN CITY GUARDS.

C. O'Connor,	Captain,	July 1, 1857.
John Tracey,	1st Lieutenant,	" "
J. McCarty,	2d Lieutenant,	" "

LIGHT INFANTRY.*

Wm. B. Hail,	Captain,	Nov. 5, 1857.
G. W. Boulware,	1st Lieutenant,	" "
I. C. Cook,	2d Lieutenant,	" "

NEBRASKA CITY RIFLES.†

Frank Bell,	Captain,	Nov. 5, 1857.
D. C. McGovern,	1st Lieutenant,	" "
Ang. C. Havoc,	2d Lieutenant,	" "

* See above: Nebraska City Light Infantry.

† See above: Otoe Rifles.

F.

PETITION OF CITIZENS OF OMAHA TO SECRETARY MORTON TO ISSUE HIS ORDER,
AS ACTING GOVERNOR, FOR A MILITARY FORCE TO PROTECT THE CITIZENS
OF DODGE AND CUMING COUNTIES FROM INDIAN DEPREDATIONS.*

OMAHA CITY, July 3, 1859.

Hon. J. Sterling Morton, Secretary of the Territory of Nebraska :

In the absence of the governor, believing that serious depredations have been and are now being committed by the Pawnee Indians upon the persons and property of our citizens in the counties of Dodge, Cuming, etc., the undersigned respectfully request you to forthwith issue an order, as acting governor, for a sufficient military force to protect such citizens in their person and property.

Very respectfully,

W. THOS. CLARKE.	S. A. MEGRATH.
P. GOLAY.	GEO. L. MILLER.
O. P. INGALLS.	LYMAN RICHARDSON.
JESSE LOWE.	E. ESTABROOK.
MENZO W. KEITH.	S. S. CALDWELL.
JOHN I. PAYNTER.	P. F. WILSON.
G. M. MILLS.	O. D. RICHARDSON.
ALBERT M. SNYDER.	H. M. JUDSON.
BYRON REED.	GEO. ARMSTRONG.
JAS. A. JONES.	WILLIAM MCCLELLAND.
REUBEN WOOD.	WM. A. WEST.
W. M. KEITH.	J. C. REEVES.
ARTEMAS SAHLER.	GEO. C. BONY.
JAS. W. VAN NOSTRAND.	C. B. KING.
WM. S. WALKER.	THOMAS L. SUTTLE.
THOMAS RILEY.	LEAVITT L. BOWEN.
T. B. SELDEN.	HENRY PAGE.
GEORGE JOHNSTON.	THOS. ACHESON.
P. A. DEMAREST.	J. W. PADDOCK.
TIMOTHY KELLY.	GEORGE CLAYES.
C. A. STARING.	WILLIAM A. GWYER.
MICH'L BARRY.	A. D. JONES.
THOS. MENNELLEY.	JAMES G. CHAPMAN.
THOMAS NELSON.	A. MASON.
DANIEL KERNS.	JOHN M. CLARKE.
A. L. KING.	JOHN A. PARKER, JR.

* Original copy in office of adjutant general of the state.

LETTER OF SECRETARY MORTON TO COL. MAY.

EXECUTIVE DEPARTMENT, OMAHA, NEBRASKA,
Sunday, July 3, 1859.

COLONEL.—The Pawnee Indians are committing depredations upon the settlers in the counties of Dodge and Cuming in this territory. They have driven off one hundred head of cattle, robbed dwelling houses, destroyed two post offices, and attacked with guns and arrows a party of settlers and wounded one man. The Pawnees (so messengers from there state) muster seven or eight hundred warriors in those counties.

At the request of the prominent men and upon the representation of a majority of the people of the beleaguered district, I am induced to call upon you for aid and protection. You are therefore earnestly requested to send down from Fort Kearney to Fontenelle, on the Elkhorn river, a sufficient detachment of cavalry for the punishment of the Indians and the protection and defense of the community.

Any communication from you will be brought to me by the bearer, Mr. Thomas Acheson.

Hoping, sir, that you may immediately comply with this request, I have the honor to be, your obedient servant,

J. STERLING MORTON, *Secretary,*

(And in the absence of the Governor) *Acting Governor of Nebraska Territory.*
To Colonel Charles May, Commander of Fort Kearney, Nebraska Territory.

N. B.—Take the route by way of Fremont to Fontenelle.

REPLY TO SECRETARY MORTON'S LETTER TO COL. MAY.

HEADQUARTERS, FORT KEARNEY, N. T.,
July 5, 1859.

J. Sterling Morton, Acting Governor of Nebraska Territory:

SIR—I am directed by Major Morris, commanding the post, to inform you that he has just received your letter of July 3d, 1859, and in reply he desires me to inform you that all of his disposable force has, by recent order from the department headquarters, been sent in the direction of Nebraska City to protect the transportation trains of Russell, Majors, and Waddell, government contractors; but that he will immediately send an express to Lieutenant B. H. Robertson, commanding Company K, 2d Dragoons, and order him to proceed without delay with his company to afford the settlers the protection your communication asks for.*

I am, sir, very respectfully, your obedient servant,

WM. G. GILL,

1st Lieut. 4th Art'y. Post Adj't.

To J. Sterling Morton, Acting Governor of Nebraska Territory.

* These papers are now in the office of the adjutant general of the state, and this letter is endorsed upon the back: "Found in a barn by Joy Morton, Sunday, June 2, 1872, and by his venerable paternal relative respectfully referred to Dr. George L. Miller and the Gossip of the *Omaha Sunday Herald*. These 'papers' and the autographs thereunto appended call up a multitude of men and things which had been almost forgotten, and if they do not remind one of the 'big wars that make ambition glorious,' they at least make us remember 'the big Indian scare' of 18 9.

"Preserve the originals.

J. S. M.

"Secretary Gosper will perhaps file these among the legendary papers of his office and oblige
Aug. 25, '73
J. S. M."

G.

LIST OF OFFICERS IN PAWNEE EXPEDITION

Gov. Sam W. Black, Commander-in-chief.

Staff, { Lieut. Colonel John McConihe, Omaha.
 { Lieut. Colonel R. E. Bowie, "
 { Lieut. Colonel Chas. D. Wolworth, "
 { Lieut. Colonel Samuel A. Lowe, Elkhorn.

Maj. Gen. John M. Thayer, commanding the expedition; Lieut. Colonel Samuel R. Curtis, inspector general.

Staff, Captains { R. H. Howard.
 { A. S. Paddock.
 Will Black.
 J. W. Pattison.

Regimental organization adopted after the joining of Gov. Black and Lieut. Robertson with his troops of cavalry:

Wm. A. West, as colonel.

Lieut. Beverly H. Robertson, U. S. A., as lieut. colonel.

— Reed, as major.

Experience Estabrook, U. S. A., as adjutant.

W. R. Clarke, as quartermaster.

A. U. Wyman, as commissary.

Henry Page, as wagonmaster.

J. P. Peck, } surgeons.
 Wm. McClelland, }

TROOPS.

No. 1. OMAHA LIGHT ART'Y, with one 6 pdr. gun, { Capt. Jas. H. Ford.
 { 1st Lieut. E. G. McNeeley.
 { Sergt. Wm. Searight.

No. 2. FIRST DRAGOONS, { Capt. George F. Kennedy.
 { 1st Lieut. J. C. Reeves.
 { 2d Lieut. C. A. Henry.
 { 1st Sergt. J. S. Bowen.

No. 3. 2D DRAGOONS, { Capt. R. W. Hazen.
 { 1st Lieut. Wm. West.
 { 2d Lieut. A. C. Campbell.
 { Sergt. Abram McNeil.

No. 4. FONTENELLE MNTD. RANGERS, { Capt. Wm. Kline.
 { 1st Lieut. James A. Bell.
 { 2d Lieut. Wm. S. Flack.
 { Sergt. John H. Francis.

No. 5. COLUMBUS INFANTRY, { Capt. Michael Weaver.
 { 1st Lieut. Wm. Graveman.
 { Sergt. John Browner.

No. 6. COLUMBUS GUARDS, { Capt. J. Rickley.
 { 1st Lieut. J. P. Becker.
 { 2d J. C. Wolfel.

The following company was organized in 1859, but does not appear as part of the expedition, at Genoa, Monroe county, Nebraska:

Joseph Huff,	Captain,	Jan. 31, 1859.
Thomas Bradshaw,	1st Lieutenant,	" "
Thomas Davis,	2d Lieutenant,	" "

HISTORY OF THE POWDER RIVER INDIAN EXPEDITION OF 1865.

BY H. E. PALMER, LATE CAPTAIN COMPANY A, ELEVENTH KANSAS
VOLUNTEER CORPS.

[Read before the Nebraska Commandery of the Military Order of the Loyal Legion
of the United States, February 2, 1887.]

In August, 1864, I was ordered to report to Gen. Curtis, who commanded the department of Kansas, at Fort Leavenworth, and was by him instructed to take command of a detachment of the Eleventh Ohio Volunteer corps, sixty men, every one of them lately confederate soldiers with John Morgan on his raid into Ohio, captured there and confined at Columbus; they had enlisted in the federal service under the pledge that they were to fight Indians and not rebels. I was to conduct those men to Fort Kearney, and there turn them over to Capt. Humphreyville of the Eleventh Ohio.

On my way out, near Big Sandy, now Alexandria, Thayer county, Neb., I met a party of freighters and stage coach passengers on horseback, and some few ranchmen, fleeing from the Little Blue valley. They told me a terrible story; that the Indians were just in their rear; and how they had massacred the people west of them, none knew how many. All knew that the Cheyennes had made a raid into the Little Blue valley, striking down all before them. After camping for dinner at this place, and seeing the last citizen disappear toward the states, I pushed on toward the Little Blue—camping in the valley—saw two Indians about five miles away on a hill as I went into camp. Next day I passed Eubank's ranch; found there little children, from three to seven years old, who had been taken by the heels and swung around against the log cabin, beating their heads to a perfect jelly. Found the hired girl some fifteen rods from the ranch, staked out on the prairie, tied by her hands and feet, naked, body full of arrows and horribly mangled. Not far from this was the body of Eubank, whiskers cut off, body most fearfully mutilated. The buildings had been fired—ruins still smoking. Nearly the same scene and desolation and murder was witnessed at Spring ranch. Camped that night at Liberty farm. Next day passed trains, in one place seventy wagons loaded with merchandise, en route for Denver.

The teamsters had mounted the mules and made their escape. The Indians had opened boxes containing dry goods, taking great bolts of calicos and cloths, carried off all they wanted, and had scattered the balance, all they could, around over the prairie. Bolts of cloth had been seized by Indians on horseback who had dropped the bolt, holding on to one end of the cloth and galloped off over the prairie to stretch it out. Five wagons loaded with coal oil in large twenty gallon cans had been inspected by the Indians; some fifteen or twenty cans had been chopped open with hatchets, to see what was inside. None of them had sense enough to set the coal oil on fire, otherwise the entire train would have been destroyed; several wagons had been fired and burned. These Indians had attacked the troops at Pawnee ranch under the command of Capt. E. B. Murphy of the Seventh Iowa cavalry, and had driven them into Fort Kearney, although he had with him about one hundred and fifty men and two pieces of artillery. By this time the main body of the Indians were far away in the Republican valley, en route for Solomon river. I followed their rear guard to a point near where the town of Franklin, in Franklin county, on the Republican, now stands. Camped there one night and then marched north to Fort Kearney. On that day's march we saw millions of buffalo.

This raid on the Blue was made by the Cheyennes under the command of Black Kettle, One Eyed George Bent, Two Face, and others. Mrs. Eubank and Miss Laura Roper were carried away captives. We ransomed them from the Indians, who brought them to Fort Laramie in January, 1865. Just prior to this outbreak on the Little Blue a number of the same Indians had attacked a train near Plum creek, thirty-one miles west of Fort Kearney, on the south side of the Platte, and killed several men. From Plum creek they moved on down the Little Blue, passing south of Fort Kearney.

Col. J. M. Chivington, commanding the First Colorado, was in command of the district of Colorado, headquarters at Denver, and during October and November, 1864, made several raids after these Indians. On the 29th of November, 1864, Col. Chivington, with three companies of the First Colorado and a detachment of the Third Colorado under command of Col. George L. Shoup, attacked Black Kettle, who with White Antelope, One Eyed George Bent, and other bands, were encamped on Sand creek, 110 miles south-southeast of Denver.

He attacked them just at daylight after a forty mile ride in the dark by the troops. The Indians were surprised, and according to the very best estimate 500 or 600 were killed, men, women and children. The fight was made in the village and the troops had no time to pick for men and save the squaws. The half-breed Indian chief, One Eyed George Bent, a son of Col. Bent, an educated rascal, was found among the dead. This was the first great punishment the Indians of the plains had received since Harney's fight in Ash Hollow.

On the 7th of January following, the military and stage station at Julesburg, at the old California crossing on the south bank of the Platte, was attacked by the Indians. Capt. Nicholas J. O'Brien, familiarly known among the white men as "Nick O'Brien," and by the Indians as O-zak-e-tun-ka, was in command of the troops. The Indians, Sioux and Cheyennes, to the number of about 1,000, ran the stage into the station, killing one man and one horse. Capt. O'Brien left a sergeant and twelve men in the fort to handle the two pieces of artillery, and mounting the rest, thirty-seven men and one officer besides himself, went to meet the savages. As the men neared the top of the hill they saw the large force opposed to them, but never flinched. The Indians charged on them with great fury and killed fourteen of the soldiers. Capt. O'Brien ordered his force to fall back, which they did in good order, leaving their dead comrades to fall into the hands of the Indians. The red skins endeavored to cut them off from the fort, and came very near doing it. The men finally gained the fort and held the enemy at bay with artillery, two mountain howitzers. Night put an end to the conflict. The Indians withdrew during the night, and in the morning no one was in sight. The soldiers went out to find the bodies of their dead comrades; found them, but nearly all were beyond recognition, stripped of clothing, horribly mutilated, their fingers, ears, and toes cut off, their mouths filled with powder and ignited, and every conceivable indignity committed on their persons. The Indians, as they afterwards admitted, lost over sixty warriors. None were found on the field, as they always carry away their dead with them.

In the winter of 1865, some time in December, I think, Brevet Brigadier General Tom Moonlight, now governor of Wyoming, was placed in command of the district of Colorado and, until in May, had his headquarters at Denver. Some time during this month he made

his headquarters at Laramie. In March the district of the plains was created and Gen. P. E. Conner was ordered from his command at Salt Lake to take command of the new district with headquarters first at Fort Kearney, then at Denver, and in June at Julesburg. At Laramie Gen. Moonlight organized an expedition to punish these marauding Indians. Before starting out on his expedition he learned from some of the trappers that two white women were with Two Face's band near the south base of the Black Hills. Through interpreters, trappers and Ogallala Sioux communication was opened up with these Indians, and for a large number of ponies, blankets, and a quantity of sugar, etc., two white women were purchased from the Indians and brought into Laramie. Two Face and two of his best warriors came in with the prisoners to surrender them. The armistice was violated—Two Face and his warriors arrested and hanged in chains about two miles north of the fort on the bluff, where their bodies were allowed to hang until the crows carried away all the flesh from their bones. One of these women, Mrs. Eubank, was the wife and mother of the massacred party at Eubank's ranch, near Spring ranch, on the Little Blue in Nebraska, now one of the best settled portions of the state. I had known Mrs. Eubank before the Indian troubles; met her at her home in the spring of 1861, just after she had moved from Ohio to brave the dangers of a pioneer life and to do the cooking for stage coach passengers on the old Ben Holliday line. She was a fine looking woman, full of youth, beauty, and strength; but a short time married, with bright prospects for the future. I remember, too, that her log cabin was unlike anything else I had seen on the road west. The dirt roof supported by heavy timbers was hid by cotton cloth, which gave to the interior of the cabin a clean, tidy look; the rough board floor was covered with a plain carpet, real china dishes, not greasy tin pans and cups, appeared on the table. That, with a fine dinner, made an indelible impression upon my mind. As I stood at the smoking ruins of her home in August, 1864, knowing that her body could not be found and wondering if she were a captive among the Indians, I thought then: Would I ever see her again alive? A few weeks after her rescue from the Indians, I met her again at Fort Laramie. The bright eyed woman appeared to me to be twenty years older; her hair was streaked with gray. Her face gave evidence of painful suffering and her back, as shown to Gen. Conner and my-

self, was one mass of raw sores from her neck to her waist where she had been whipped by Two Face's squaws. The sores had not been permitted to heal, and were a sight most sickening to behold. The poor woman was crushed in spirit and almost a maniac. I sent an escort with her and her companion, Miss Laura Roper, with an ambulance to Julesburg, where they were placed upon a coach and returned to the east. Miss Roper lived and married in Beatrice, Nebraska. Mrs. Eubank went back to her friends in Ohio and I have never heard from her since.

Moonlight's raid after the Indians was a failure. Through the grossest mismanagement he allowed his command to be ambushed, his horses captured, and several men killed—retreating to Fort Laramie in time to receive an order from Gen. Conner to report to the commanding officer at Fort Kearney, Nebraska, for muster out of service.

My company was ordered upon the plains in February, 1865. Left Fort Riley on the 16th. After experiencing a most fearful snow storm and blizzard the command, about six hundred strong, reached Fort Kearney, Nebraska, on the third day of March, 1865, and in a few days pushed on to Lodge Pole creek and camped near the present town of Sidney, where they went into winter quarters, remaining there, however, only a few weeks; then they were ordered to Mud Springs, where they again attempted to build winter quarters; from there to Laramie, Platte Bridge, and Fort Halleck; then they were strung out on the overland stage route with some twenty-five hundred men in all, guarding the through mail line. I had returned to Fort Leavenworth from Fort Kearney on detached service, and in June, 1865, was ordered to report to Gen. Conner; found him at the old California crossing on the Platte.

Gen. Conner had with him two companies, L and M, of the Second California cavalry, and a detachment of the Eleventh Ohio under command of Capt. Humphreyville and Capt. O'Brien with his company of the Seventh Iowa cavalry and two mountain howitzers, manned by Capt. O'Brien's men and commanded by him. The command were delayed several hours trying to cross the Platte, which was receiving snow water from the mountains and was even with the bank. The crossing was made by swimming the stock and floating over the stores, wagons, etc., in wagon boxes covered with tarpaulins. The men were also crossed on rafts. We camped on the Lodge Pole. In the

afternoon after the first day's march from the Platte the men indulged in fishing in Lodge Pole creek. Trout and pike were hauled out by the bushel with gunny sack seines. While we were cooking our fish, forty mules that had made themselves useful drawing headquarters' wagons and ambulances, etc., feeding on the opposite bank of the creek, about 100 yards from headquarters, were frightened by a jack rabbit. One of the mules leading the band was feeding close to a monstrous jack rabbit sitting behind a bunch of sage brush. Lieut. Jewett, aide-de-camp, and myself happened to discover the rabbit just before the mule saw it. He remarked that he thought we would see some fun when the mule got a little closer to the rabbit. Sure enough, when the mule got within a few feet of the rabbit, Mr. Jack made a monstrous jump to change location. The mule gave a snort and started back among the herd on a gallop; all the rest of the mules joined the leader, becoming more frightened at every jump and away they went for the hills about a mile away, no stop or halt until they disappeared. The general ordered a squad of cavalrymen to gather their hobbled animals and start in pursuit. This was done but "nary" a mule was seen afterwards. When the cavalry reached the hills they were met by a band of Indians who beat them back. Before we could assist them both Indians and mules were far away, and before we got near them they were across the North Platte near Ash Hollow, en route for the Black Hills. Next day we were attacked by Indians near Mud Springs and gave them a lively chase, the fight not ending until about ten o'clock at night, when the men gathered in camp to prepare their supper.

Soon after their return to camp Gen. Conner decided he must send Lieut. Oscar Jewett, his aide-de-camp, who had great experience in Indian warfare, to Chimney Rock, some thirty miles north, where a large supply train in charge of Leander Black was encamped. Overhearing the instructions to Lieut. Jewett, that he must go alone and run the risk of riding among the Indians, I begged Gen. Conner to allow me to accompany Jewett. At that time I had not been assigned to any particular duty—was simply a passenger in the general's ambulance, en route to join my company, which was supposed to be stationed at Platte Bridge on the North Platte, west of Laramie. To impress the general with my claims, I gave him to understand that I had seen much of the Indians and was as capable of dodging their

arrows as Lieut. Jewett. After some hesitancy the general consented that I might go, but instructed us to ride at least six hundred yards apart, one behind the other. We left at 11 o'clock, and at daylight next morning we were in the camp of the supply train, and had the men aroused ready to meet an attack expected at daylight. The ride was a very interesting one, the night being as dark as any I ever experienced; neither one of us heard or saw the other until we met in Black's camp.

Next day Gen. Conner issued an order assigning me to duty as assistant adjutant general, district of the plains. Our march from this point (Chimney Rock) to Fort Laramie was devoid of anything particularly exciting. We were detained at Fort Laramie until the 30th day of July, awaiting supply trains. During this time three expeditions were organized by Gen. Conner, supplied with trains of provisions and munitions of war, and started for a general rendezvous at the mouth of the Rosebuds, on the south bank of the Yellowstone river. One of these expeditions, composed of the Sixteenth Kansas under command of Col. Thompson, left us at Laramie, marching in an easterly direction toward the headwaters of the Niobrara, where they intercepted the second column, composed of the Eleventh and Twelfth Missouri mounted infantry, under command of Col. N. P. Cole. The entire command, amounting to some 1,600 fighting men, were ordered to pass north of the Black Hills across the Powder river to the Rosebuds.

Before starting we had a lively little matinee with the Sixteenth Kansas, who mutinied, the entire regiment refusing to go after the Indians. They alleged that their term of service would be up before the expedition could be terminated, and that they had not enlisted to fight Indians—had not lost any red devils and were not disposed to hunt for any. This mutiny was promptly checked by Gen. Conner, who appeared on the scene with his two companies of California troops (who were devotedly attached to the general), two pieces of artillery, and a detachment of the Eleventh Ohio cavalry, and formed them in line of battle ready for an immediate attack upon the Kansas camp unless they fell into line within five minutes and promised obedience to orders. The Kansas boys were smart enough to smell danger and to take the general at his word. They fell into line and went out upon the dismal, unprofitable, inglorious hunt after "scalp lifters."

Before leaving Laramie, about the 25th of July, I was relieved as adjutant general by Capt. C. J. Laurant, a regular assistant adjutant general, who had been sent by the secretary of war to report to Gen. Conner. The general refused to let me join my company and issued an order announcing me as his acting assistant quartermaster, and instructed me to provide transportation, forage, etc., for the expedition.

I found that there were only about seventy government wagons at Fort Laramie; that the commissary stores and forage required for the expedition, and required by the command under Col. Cole, would require in the neighborhood of 200 wagons to transport the same. I was compelled to press citizens' outfits into the service.

I pressed into the service forty wagons belonging to Ed. Creighton, which were under charge of Thomas Ashlop; captured Tom Pollock's train of thirty wagons, and other trains too numerous to mention, until I had a train of 185 wagons.

Our command left Fort Laramie on the 30th day of July, 1865, enroute for the Powder river. Our column was known as the "Powder river Indian expedition," and was composed of sixty-eight men belonging to Company E, Seventh Iowa cavalry, under command of Capt. N. J. O'Brien, with First Lieut. John S. Brewer, Second Lieut. Eugene F. Ware; sixty men of Company E, Eleventh Ohio volunteer cavalry, under Capt. Marshall; seventy men of Company K, Eleventh Ohio volunteer cavalry, Capt. J. L. Humphreyville; fifty-seven men of Company E, Eleventh Ohio volunteer cavalry; sixty-one men of Company M, Second California cavalry, commanded by Capt. Geo. Conrad; fourteen men, a detachment of the Second Missouri artillery; fifteen men, a detachment of the signal corps of the United States army, under command of Lieut. J. Willard Brown, assisted by Second Lieut. A. V. Richards; fifteen men on detachment service from the Eleventh Ohio cavalry serving in the quartermaster's department; seventy-five Pawnee scouts under command of Capt. Frank North, and seventy Winnebago and Omaha Indians under command of Capt. E. W. Nash; together with six companies of the Sixth Michigan cavalry, numbering about 250 men, under command of Col. Kidd. The Michigan troops were intended as a garrison for the first military post established, to be located at Powder river, and were not properly a part of the left column on the Powder river Indian expedition. Not including the Michigan troops, we had, all told, 404 soldiers and 145

Indians, together with about 195 teamsters and wagonmasters in the train, which was in the direct charge of Robert Wheeling, chief train master. The general's staff was limited to five officers: Capt. J. C. Laurant, A. A. G.; Capt. Sam Robbins, First Colorado cavalry, chief engineer; myself as quartermaster; Capt. W. H. Tubbs, A. C. S., and Oscar Jewett, A. D. C.

We arrived at the south bank of the Platte August 1, expecting to cross at the LaBonta crossing. The general and his guides and advance guards had arrived the night before, expecting from information furnished by his guides that he would find a good crossing here. Our guides, chief among whom were Maj. James Bridger, Nick Janisse, Jim Daugherty, Mich. Bouyer, John Resha, Antoine LaDue, and Bordeaux, were supposed to be thoroughly posted on this country, especially the region so near Fort Laramie, where they had been hundreds of times; but the treacherous Platte was too much for them. The spring flood that had just passed had washed away the crossing, and after ten hours' diligent searching not one of the cavalry escort could find a place to cross the river without swimming his horse and endangering his life. Coming up with the train, which had been delayed and did not reach camp until afternoon, I found the general thoroughly discouraged and more than disgusted with his guides. The river had been examined for four miles each way from LaBonta crossing, and not a place could be found where it would be possible to cross a train. The alternative was presented to march to Platte bridge, one hundred and thirty miles out of our regular course. Soon after packing the train I rode off by myself, on my government mule, up the river searching for an antelope. Without noticing the distance traveled, I was soon nearly five miles from camp, and out of sight of same, over a sharp bluff near the river. Just beyond this bluff I discovered a fresh buffalo trail leading down into the water, and across the river, on the opposite bank, could distinguish tracks that the buffalo had made coming out of the stream. Curious to know how they could cross so straight without swimming in the rapid current, I rode my mule into the river and crossed on a good solid bottom. Returning by the same route, I marked the location in my mind, rode back to camp in time for supper. Soon after feasting on antelope steak that I had captured on my expedition, and having lit my pipe, I strolled up to Gen. Conner and asked if he proposed crossing the

Platte at this point, or if he intended to go round by the bridge. The general seemed put out by my question, which, under the circumstances, he considered aggravating, and answered me rather roughly that we would have to go round by the bridge. I told him if it was the train that bothered him about crossing, I would guarantee to have it on the opposite bank of the river by daybreak the next morning. The general's reply was, "Very well, sir; have it there." After 9 P.M., when all was still in camp, I detailed a gang of teamsters, about forty men with picks and shovels, and marched them up the river to the buffalo trail and set them to work making a road. It being a moonlight night, the work was easily prosecuted, and by break of day on the morrow the lead team of 185 wagons stood—leaders in the river—waiting the command to march. As soon as it was light enough to distinguish the opposite shore, I rode in ahead of the leaders and gave the command forward. There was no break or halt until the train was parked opposite the general's camp, all before sunrise. In fact, the entire train was parked, the mules turned loose to graze, and the men preparing their breakfast, when the sentinels on the opposite bank of the river discovered the train beyond the Platte and gave the alarm to the general, who rushed out of his tent in his stocking feet to see what he did not believe was true. He immediately ordered "boots and saddles" to be sounded, and in a short time the entire command was with us. After breakfast our column moved on, passing over a country perfectly destitute of grass and timber, and scarcely any water, only one or two places between the Platte and Powder river. We found water by sinking iron-bound casks and empty cracker boxes in the apparently dry sand beds of the main streams and tributaries of the south, middle, and north forks of the Cheyenne river—not a drop of water visible in the main branch. Our route followed a Lodge Pole trail over a very barren, rough country, along ridges, up and down ravines, where wagons had never passed.

August 9 we obtained our first view of the Big Horn mountains, at a distance of eighty-five miles northwest, and it was indeed magnificent. The sun so shone as to fall with full blaze upon the southern and south-western sides of Cloud Peak, which is about ten thousand feet above sea level, and the whole snow-covered range so clearly blended with the sky as to leave it in doubt whether all was not a mass of bright cloud. Although the day was exceedingly warm, as soon

as we struck this ridge we felt the cooling breezes from the snow-clad mountains, which was most gratefully appreciated by man and beast. In front, and a little to the northeast, could be seen the four columns of the Pumpkin Buttes, and fifty miles further east, Bear Butte, and beyond, a faint outline of the Black Hills. The atmosphere was so wonderfully clear and bright that one could imagine that he could see the eagles on the crags of Pumpkin Buttes, full forty miles away.

August 11.—Broke camp at the usual hour, traveled down Dry creek, passed two or three mud holes, where the stock was watered. After eight miles marching, got to a spot where we could see the long looked for Powder river; saw columns of smoke down the river, indicating an Indian village a few miles away. It proved to be a fire which the hostile Indians had made a day or two before. The Powder river is at this point a very rapid stream, water muddy like the Missouri, timber very plenty, ranging back from the river from one-half to one mile; grass not very good, no chance to cut any hay anywhere on the river. Train reached camp at two o'clock, and camped in the timber on the river bank. In the evening the general, some members of his staff, and the guides, with an escort, went down the river to see if there were any signs of Indians. Found a "good Indian" very lately sewed up in a buffalo hide and hung up in a tree—many such sights along the Powder river. The country traversed by the general was similar to the camp ground.

August 12.—Train remained in camp. An exploring expedition was sent up the river under the command of Lieut. Jewett with orders to proceed twenty miles to look for a better location for a military post. Twenty-five of the Sixth Michigan cavalry went up the river with Lieut. Jewett to the crossing of the old traders' road from the Platte bridge to the Big Horn mountains, and past the same, known as the Bozeman trail, made in 1864 by J. M. Bozeman, of Montana. Lieut. Jewett found bottoms on both sides of the river banks heavily timbered, flanked by high bold bluffs, with Indian signs all along the stream, scarcely a mile where there had not been Indian villages; some within a few weeks, some that were probably made years and years ago; some very large camps gave evidence that the Indians had very large droves of horses, as the trees were badly girdled. Numerous Indian burial trees were found, with lots of "good Indians" tied up in them. Several bands of buffalo were seen during the day.

Lient. Jewett returned to camp the same day, having made a fifty mile march.

August 14.—The first timber was cut to-day for building a stockade, the general having decided to erect a fort on the opposite bank of the river at this point, on a large mesa rising about one hundred feet above the level of the river, and extending back as level as a floor about five miles to the bluffs. A very fine location for a fort, the only disadvantage being scarcity of hay land. Our stockade timber was cut twelve feet long and was from eight to ten inches in thickness. These posts were set four feet deep in the ground in a trench. Every soldier and all the teamsters who could be urged to work were supplied with axes and the men seemed to enjoy the exercise, chopping trees and cutting stockade timber.

August 16.—Command still in camp waiting for a train of supplies from Fort Laramie before we proceed. Indian scouts discovered a war party to-day, and the soldiers gave them a running fight, Capt. North's Pawnees in the advance with only a few staff officers who were smart enough to get to the front with the Pawnees. Capt. North followed the Indians about twelve miles without their being aware of our pursuit; then the fun began in earnest. Our war party outnumbered the enemy, and the Pawnees, desirous of getting even with their old enemy, the Sioux, rode like mad devils, dropping their blankets behind them, and all useless paraphernalia, rushed into the fight half naked, whooping and yelling, shooting, howling,—such a sight I never saw before. Some twenty-four scalps were taken, some twenty-four horses captured, and quite an amount of other plunder, such as saddles, fancy horse trappings, and Indian fixtures generally. The Pawnees were on horseback twenty-four hours, and did not leave the trail until they overtook the enemy. There was a squaw with the party; she was killed and scalped with the rest. On their return to camp they exhibited the most savage signs of delight, and if they felt fatigued did not show it—rode with the bloody scalps tied to the end of sticks, whooping and yelling like so many devils. In the evening they had a war dance instead of retiring to rest, although they had been up more than thirty hours. The war dance was the most savage scene I had ever witnessed. They formed a circle and danced around a fire, holding up the bloody scalps, brandishing their hatchets and exhibiting the spoils of the fight. They were perfectly frantic

with this, their first grand victory over their hereditary foe. During the war dance they kept howling, "Hoo yah, hoo yah, hoo yah," accompanying their voices with music (if such it could be called) made by beating upon an instrument somewhat resembling a drum. No one who has never witnessed a genuine Indian war dance could form any conception as to its hideousness—the infernal hoo yahs and din din of the tom tom.

These howling devils kept up the dance, first much to our amusement, until long after midnight, when finally the general, becoming thoroughly disgusted, insisted upon the officer of the day stopping the noise. After considerable talk, Capt. North, their commander, succeeded in quieting them, and the camp laid down to rest; but this war dance was kept up every night until the next fight, limited, however, to 10 o'clock P.M.

August 19.—Several of the staff officers, myself included, went on a buffalo hunt in the afternoon. We killed several buffalo; one of the scouts reported having seen a large body of Sioux Indians. Capt. North started with his company in pursuit—killed one Indian chief and captured six head of horses. Col. Kidd went out in another direction with twenty-five men and reported over five hundred to one thousand Indians. Capt. O'Brien and Lieut Jewett with fifteen men went ten or twelve miles down the river, and camped until 3 o'clock on the morning of the 20th, then struck across the country towards camp, but saw no Indians. Capt. Marshall with forty men of the Eleventh Ohio went in pursuit of another band of Indians—killed two Indians and captured eleven head of stock. All of these scouting parties returned to camp, some on the 19th, some not until the 20th.

August 22.—Broke camp at sunrise; started from Powder river going north, leaving part of the train at the fort; also all the Sixth Michigan cavalry. Traveled twenty-three and one half miles, and made camp on Crazy Woman's fork of the Powder river, so named because of the fact that some fifteen years before, a poor demented squaw lived near the bank of the river in a "wickup" and finally died there. The water of this stream is not so good as that of the Powder river, more strongly impregnated with alkali; grass not very good; sage brush abundant; some timber on the stream. Saw some signs of Indians, but none very recent.

August 23.—Left Crazy Woman's fork at 6 o'clock A.M.; traveled

north five miles; came to a dry creek; passed several of the same kind during the day; did not find any running water; stock suffered some for want of same. The country is rolling, still seems more compact and gives us a much better road than we had on the south side of the Powder river. The Big Horn mountains lying right to our front seem to be within rifle range, so very near that we could see the buffalo feeding on the foot hills—the pine trees, the rocks, and crags appear very distinct, though several miles away. Fourteen miles from Crazy Woman's fork we struck the Bozeman wagon trail made in 1864. Made camp at 3 o'clock; grass splendid; plenty of water, clear and pure as crystal and almost as cold as ice. The stream was full of trout and the boys had a glorious time in the afternoon bathing in the ice water and fishing for trout with hooks made of willows. Several bands of buffalo had been feeding close to camp and about 5 o'clock P.M. about twenty-five cavalrymen rode out and surrounded a band and drove them into a corral formed of our wagons, and there fifteen were slaughtered and turned over to the commissary department.

The general and a few of his staff officers, myself included, went up the stream to a high mesa some three miles above camp and got a beautiful view of the country and the surrounding hills, when we ran upon a monstrous grizzly, who took shelter in a little plum patch covering about an acre of ground. One of our party, Trainmaster Wheeling, with more daring than the rest of us cared to exhibit, rode up to within a few rods of the patch; the bear would rush out after him, when he would turn his mule so quickly that the bear could not catch him, the bear close to his heels snapping and growling, at the same time receiving the fire of our Sharpe's rifles. After receiving same, Mr. Grizzly would retire and again Wheeling would draw him out of the plum patch, and again we would pour cold lead into his carcass. The fight was intensely interesting. When we downed grizzly we found we had perforated his hide with twenty-three balls. The animal was one of the largest of its species; according to the very best estimate it weighed about 1,800 pounds.

From this point on to Montana, in fact all along the whole base of the Rocky mountains to the British possessions, the country is perfectly charming, the hills are all covered with a fine growth of grass, and in every valley there is either a rushing stream or some quiet babbling brook of pure, clear snow water, filled with trout, the banks

lined with trees—wild cherry, quaking asp, some birch, willow, and cottonwood. No country in America is more picturesque than the eastern slope of the Big Horn mountains.

August 25.—Broke camp at the usual hour; pushed on north, passing along the base of the Big Horn mountains. Crossed several streams, one of which we named Coal creek, because of the fact that near the center of the stream lay a block of coal about twenty-four feet long, eight feet thick, and twelve feet wide, the water having washed through a vein of coal that cropped out at this point. We found coal here enough to supply our forges and to enable [the blacksmith to do some needed repairs. Seven miles from Clear fork we came to a very pretty lake, about two miles long and about three-fourths of a mile wide, which Major Bridger told us was DeSmet lake, named for Father DeSmet. The lake is strongly impregnated with alkali, in fact so strong that an egg or potato will not sink if thrown into the water; large red bluffs are to be seen on both sides, and underneath the lake is an immense coal vein. Not many miles from this lake is a flowing oil well. A scheme might be inaugurated to tunnel under this lake, pump the oil into the lake, set the tunnel on fire and boil the whole body of alkali water and oil into soap. We made our camp on the Piney fork of the Powder river, about two or three miles below Fort McKinney, where there is now a flourishing city known as Buffalo, county seat of Johnson county, Wyoming. Just after we had gone into camp a large band of buffalo that had been aroused by our flankers came charging down the hill directly into our camp. Many of them turned aside, but several passed through among the wagons, much to the dismay of our animals, most of which were tied to the same, taking their evening meal of grain. One monstrous bull got tangled in the ropes of one of our tents, and was killed while trampling it in the dust.

August 26.—Left Piney fork at 6 o'clock A.M.; traveled north over a beautiful country until about 8 A.M., when our advance reached the top of the ridge dividing the waters of the Powder from those of the Tongue river. I was riding in the extreme advance in company with Major Bridger. We were two thousand yards, at least, ahead of the general and his staff; our Pawnee scouts were on either side and a little in advance; at that time there was no advance guard immediately in front. As the major and myself reached the top of

the hill, we involuntarily halted our steeds; I raised my field glass to my eyes and took in the grandest view I had ever seen. I could see to the north end of the Big Horn range and, away beyond, the faint outline of the mountains beyond the Yellowstone. Away to the northeast the Wolf river range was distinctly visible; immediately before us lay the valley of Peno creek, now called Prairie Dog creek, and beyond the Tongue river valley and many other tributary streams. It was as pretty a picture as I had ever seen. The morning was clear and bright, not a breath of air stirring. The old major, sitting upon his horse with his eyes shaded with his hands, had been telling me for an hour or more about his Indian life, his forty years' experience on the plains, telling me how to trail Indians and distinguish their tracks from those of different tribes—a subject that I had discussed with him nearly every day. In fact the major and myself were close friends. His family lived at Westport, Missouri. His daughter, Miss Jenny, had married a personal friend of mine, Lient. Wiseman, and during the winter of 1863 I had contributed to help Mrs. Bridger and the rest of the family, all of which the major had been acquainted with, which induced him to treat me as an old time friend. As I lowered my glass the major said "Do you see those 'ere columns of smoke over yonder?" I replied, "Where, major?" to which he answered "Over by that saddle," meaning a depression in the hills not unlike the shape of a saddle, pointing at the same time to a point fully fifty miles away. I again raised my glass to my eyes and took a long, earnest look, and for the life of me could not see any columns of smoke even with a strong field glass. The major was looking without any artificial help. The atmosphere appeared to be slightly hazy in the long distance, like smoke, but there were no distinct columns of smoke in sight. Yet, knowing the peculiarities of my frontier friend, I agreed with him that there were columns of smoke, and suggested that we had better get off our animals and let them feed until the general came up. This we did, and as soon as the general with his staff arrived, I called his attention to Major Bridger's discovery. The general raised his field glass and scanned the horizon closely, but after a long look he remarked that there were no columns of smoke to be seen. The major quietly mounted his horse and rode on. I asked the general to look again, that the major was very confident that he could see columns of smoke, which, of course, indicated an Indian village. The

general made another examination and again asserted that there were no columns of smoke. However, to satisfy curiosity, and to give our guides no chance to claim that they had shown us an Indian village and we would not attack it, he suggested to Capt. Frank North, who was riding with the staff, that he go with seven of his Indians in the direction indicated, to reconnoitre, and to report to us on Peno creek or Tongue river, down which we were to march. I galloped on and overtook the major, and as I came up to him, overheard him remark about "these damn paper collar soldiers" telling him there were no columns of smoke. The old man was very indignant at our doubting his ability to outsee us, with the aid of field glasses even. The joke was too good to keep and I had to report it to the general. In fact, I don't believe the major saw any columns of smoke, although it afterward transpired that there was an Indian village in the immediate locality designated. Bridger understood well enough that that was a favorite locality for Indians to camp, and that at most any time there could be found a village there; hence his declaration that he saw columns of smoke.

Our march down Peno creek was uneventful, the road being very good, much better than we had before found. This stream takes its name from a French trapper by the name of Peno, who had been trapping for beaver. A band of buffalo close by tempted him to take a shot, which he did, slightly wounding a large bull. The bull took after him and Peno fled for his life. Just as he reached the steep bank of the creek some fifteen or twenty feet above the stream, Mr. Bull caromed on his rear and knocked Peno clear over the bank, head foremost into the creek, the bull tumbling in after him. Fortunately the fall was more disastrous to the bull than to the man, who was able to make his escape. Such is the story as told to me by Major Bridger. Our camp that night was in a valley of the Peno creek, not far from Tongue river, sixteen miles from Big Piney.

August 27 and 28.—Traveled down Peno creek and Tongue river; country near the river very barren, no grass. After camping, four of the Omaha scouts went out a short distance from the camp and met a grizzly bear, which they very imprudently fired upon. The grizzly closed upon them, killing one of the scouts and fearfully mangling two others before a relief party of the same company could drive away the bear. Just after sunset of this day two of the Pawnees who went

out with Capt. North towards Bridger's columns of smoke two days previous came into camp with the information that Capt. North had discovered an Indian village. The general immediately called me to his tent and instructed me to take command of the camp, keeping the wagons in the corral, protect the stock, and hold the position until he should return—that he was going out to fight the Indians. I had never been baptized with Indian blood, had never taken a scalp, and now to see the glorious opportunity pass was too much. So, with tears in my eyes, I begged of the general to allow Lieut. Brewer, of the Seventh Iowa cavalry, who I knew had just reported to me as very sick, to remain with the train, and that I be allowed to accompany him in the glorious work of annihilating savages. The general granted my request. The men were hurried to eat their supper, just then being prepared, and at 8 o'clock P.M. we left camp with two hundred and fifty white men and eighty Indian scouts as the full attacking force. From our calculation as to the distance, we expected to strike the village at daylight on the morning of the 29th. Our line of march lay up the valley of the Tongue river, and after we had passed the point where our wagons had struck the stream we found no road, but much underbrush and fallen timber, and as the night was quite dark, our march was very greatly impeded, so that at daylight we were not within many miles of the Indian village. The general was very much disappointed at this delay, which compelled us to keep closely under cover, and in many instances to walk along by the water's edge, under the river bank, in single file, to keep out of sight of the Indians. I had worked myself to the extreme advance, and like, possibly, many others in the command, had begun to think that there was no Indian village near us, and that we would have no Indians to fight. Arriving at this conclusion, I had become somewhat reckless, and had determined that Capt. North, who had joined our command soon after we left camp, should not reach the village in advance of myself. As we rode along close together conversing, I managed to forge in ahead of him just as we dropped down into a deep ravine. The bank on the side just beyond the stream was much higher than the bank from which we came, and the trail led up this steep bank. As I rode up the bank and came to the top, my eyes beheld a sight as unexpected to me as a peep into sheol. Just before me lay a large mesa or table, containing five or six hundred acres of land, all covered with Indian

ponies, except a portion about one-half mile to the left, which was thickly dotted with Indian tepees full of Indians. Without a moment's hesitation, I grasped the bit of my horse with my right hand and his nostrils with my left, to prevent him from whinneying, threw myself from the saddle, dragging the horse down the bank against Capt. North's horse, and whispered to him that we had found the village. Capt. North held my horse while I ran back, motioning the men to keep still. In fact, the general had issued orders when we left camp that no man should speak above a whisper, and that when the horses attempted to whinney they should be jerked up with a tight rein. During the last one-half hour of our march several men had become somewhat careless, and were not as cautious as they had been during the night. I soon met the general, who was close to the advance, and told him of my discovery. The word was passed back for the men to close up and to follow the general, and not to fire a shot until he fired in advance. Gen. Conner then took the lead, rode his horse up the steep bank of the ravine, and dashed out across the mesa as if there were no Indians just to the left; every man followed as closely as possible. At the first sight of the general, the ponies covering the table land in front of us set up a tremendous whinneying and galloped down toward the Indian village, more than a thousand dogs commenced barking, and more than seven hundred Indians made the hills ring with their fearful yelling. It appeared that the Indians were in the act of breaking camp. The ponies, more than three thousand, had been gathered in, and most of the warriors had secured their horses; probably half of the squaws and children were mounted, and some had taken up the line of march up the stream for a new camp. They were Arapahoes, under Black Bear and old David, with several other chiefs not so prominent. The general watched the movements of his men until he saw the last men emerge from the ravine, when he wheeled on the left into line. The whole line then fired a volley from their carbines into the village without halting their horses, and the bugle sounded the charge. Without the sound of the bugle there would have been no halt by the men in that column; not a man but what realized that to charge into the village without a moment's hesitation was our only salvation. We already saw that we were greatly outnumbered, and that only desperate fighting would save our scalps. I felt for a moment that my place was with the train;

that really I was a consummate fool for urging the general to allow me to accompany him. I was reminded that I had lost no Indians, and that scalping Indians was unmanly, besides being brutal, and for my part I did not want any dirty scalps; yet I had no time to halt; I could not do it, my horse carried me forward almost against my will, and in those few moments—less than it takes to tell the story—I was in the village in the midst of a hand to hand fight with warriors and their squaws, for many of the female portion of this band did as brave fighting as their savage lords. Unfortunately for the women and children, our men had no time to direct their aim; bullets from both sides and murderous arrows filled the air; squaws and children, as well as warriors, fell among the dead and wounded. The scene was indescribable. There was not much of the military in our movements, each man seemed an army by himself. Standing near the “sweat house,” I emptied my revolver into the carcasses of three warriors.

One of our men, a member of the Eleventh Ohio cavalry, formerly one of John Morgan’s men, a fine looking soldier with as handsome a face as I ever saw on a man, grabbed me by the shoulder and turned me about that I might assist him in withdrawing an arrow from his mouth. The point of the arrow had passed through his open mouth and lodged in the root of his tongue. Having no surgeon with us a higher grade than a hospital steward, it was afterwards within a half hour decided that to get the arrow out from his mouth, the tongue must be, and was, cut out. The poor fellow returned to camp with us, and at this late date I am unable to say whether he lived or died. Another man, a sergeant in the signal corps, by the name of Charles M. Latham, was shot in the heel; he had been through the entire war in the army of the Potomac and wore a medal for his bravery, had passed through many battles and had escaped unharmed. This shot in the heel caused his death; he died in a few days afterwards of lock-jaw. The Indians made a brave stand trying to save their families, and succeeded in getting away with a large majority of their women and children, leaving behind nearly all their plunder. They fled up a stream now called Wolf creek, Gen. Conner in close pursuit. Soon after we left the village, Gen. Conner advised me to instruct Capt. North to take his Indians and get all the stock he could possibly gather. This was done, and with a few stragglers I followed a small band of Indians up the main Tongue river about three miles

until they became strong enough to turn back upon us, and force us back. Gen. Conner pursued the fleeing savages fully ten miles from camp, when he found himself accompanied by only fourteen men; our horses had all become so fatigued and worn out that it was impossible to keep up. The general halted his small squad and attempted to take the names of his brave comrades, when the Indians, noticing the paucity of his numbers, immediately turned upon him and made a desperate effort to surround him and his small squad of soldiers. They fell back as rapidly as possible, contesting every inch, reinforced every few moments by some stragglers who had endeavored to keep up. With this help they managed to return to camp, where Capt. North and myself had succeeded in corralling about eleven hundred head of ponies. One piece of artillery had become disabled. The axletree of the gun carriage, a mountain howitzer, was broken. We left the wheels and broken axle near the river and saved the cannon. The command rendezvoused in the village, and the men were set to work destroying Indian property. Scores of buffalo robes, blankets, and furs were heaped upon lodge poles, with tepee covers, and dried buffalo meat piled on top, and burned. On one of these piles we placed our dead, and burned their bodies to keep the Indians from mutilating them. During our halt the Indians pressed close up to the camp, and made several desperate attempts to recover their stock, when the mountain howitzer, under the skillful management of Nick O'Brien, prevented them from completing their aims. Our attack upon the village commenced at 9 o'clock A. M. The rendezvous in the village was about 12:30. We remained there until 2:30. In the intervening time we destroyed an immense amount of Indian property—fully 250 Indian lodges and contents. At 2:30 we took up the line of march for the train. Capt. North, with his eighty Indians, undertook to drive the stock. They were soon far ahead, while the rest of the force were employed in beating back Indians. The Indians pressed us on every side, sometimes charging up within fifty feet of our rear guard. They seemed to have plenty of ammunition, but did most of their fighting with arrows, although there were some of them armed with muskets, with which they could send lead in dangerous proximity to our men. Before dark we were reduced to forty men who had any ammunition, and these only a few rounds apiece. The Indians showed no signs of stopping the fight, but kept on pressing us, charging upon us, dashing

away at the stock, keeping us constantly on the move until fifteen minutes of twelve o'clock, when the last shot was fired by our pursuers. At this time I had gone ahead to communicate some order from Gen. Conner to Capt. North relative to handling the stock. Having completed my work, I halted by the side of the trail and waited for the general who was with the rear guard. I remember, as I was getting from my horse, I heard the last shot fired some two or three miles in the rear.

After I had dismounted, I realized that I was fearfully tired, so tired that I could not stand up. I sat upon the ground, and in a moment, in spite of myself, was in a sound sleep, and was only awakened by being dragged by my horse; which was an Indian pony that I had saddled from the captured stock. Nearly all our men had remounted themselves while we were rendezvousing in the Indian village, otherwise we would not have been able to keep out of the way of the pursuing Indians. My lariat was wrapped around my right arm, and with this the pony was dragging me across the prickly pears when I awakened. Realizing that I was on dangerous ground, I quickly mounted my pony and listened long for the least sound to indicate whether the general had come up or not. There was no noise—not a sound to be heard—the night was intensely dark and myself so bewildered that I scarcely knew which way to go. Again jumping from my horse, I felt with my hands until I found the trail and discovered that the footprints of the horses led in a certain direction; taking that as my course, I rode away as rapidly as possible and after three miles' hard riding, overtook the general and his rear guard, who had passed me while I was asleep. All congratulated me on my narrow escape. We arrived at camp at daylight, after marching fully one hundred and ten miles without any rest or refreshments except the jerked buffalo that the boys had filled their pockets with in the Indian village. The incidents of this fight would make interesting reading. Many acts of personal bravery cannot be recorded. Suffice it to say that every man was a general. Not a command was given by the general after the first order to charge—not a man in the command but that realized that his life was in the balance. We must either whip the Indians and whip them badly, or be whipped ourselves. We could see that the Indians greatly outnumbered us; that our main dependence was our superior equipments; we were better

armed than they. As for fighting qualities the savages proved themselves as brave as any of our men. The fight commenced at 9 o'clock, was offensive until about 11 A.M., when the general was driven back into camp with his small squad of men; from that time until midnight we fought on the defensive. Yet we had accomplished a grand victory. Two hundred and fifty lodges had been burned with the entire winter supply of the Arapahoe band. The son of the principal chief (Black Bear) was killed, sixty-three warriors were slain, and about 1,100 head of ponies captured. While we were in the village destroying the plunder, most of our men were busy remounting. Our own tired stock was turned into the herd. The Indian ponies were lassoed and mounted; this manœuvre afforded the boys no little fun, as in nearly every instance the rider was thrown or else badly shaken up by the bucking ponies. The ponies appeared to be as afraid of the white men as our horses were afraid of the Indians. If it had not been for Capt. North with his Indians, it would have been impossible for us to take away the captured stock, as they were constantly breaking away from us, trying to return towards the Indians, who were as constantly dashing toward the herd in the vain hope of recapturing their stock.

Many exciting scenes were witnessed upon the field of battle. During the chase up Wolf creek with the general, one of North's braves picked up a little Indian boy that had been dropped by the wayside. The little fellow was crying, but when picked up by the soldier Indian, fought like a wild cat. One of our men asked the Indian what he was going to do with the papoose. He said: "Don know; kill him mebby." He was told to put him down and not to injure the bright little fellow. The Indian obeyed, and at least one papoose owed his life to the kind hearted soldier. Several of our men were wounded; some of them quite severely. Three or four of them afterwards died of their wounds. Two of our soldiers, white men, I forget their names, were found among the dead, and three or four of North's Indians were killed.

Lieut. Oscar Jewett, the general's aide-de-camp, the general's bugler and orderly were among the wounded. Lieut. Jewett was shot through the thigh and through the hand, and yet was compelled to ride over forty miles after receiving his wounds. We were absent from camp thirty-three hours; had marched, as before stated, one

hundred and ten miles ; during that time had had nothing to eat, except a few hard tack and some jerked buffalo meat. If there is a better record to the credit of the volunteer cavalry soldier I am not aware of the fact. We brought back to camp with us eight squaws and thirteen Indian children, who were turned loose a day or two afterward.

August 30 and 31.—We marched twenty-two miles down Tongue river. September 1, early in the morning, a cannon shot was heard. No two persons could agree in what direction the sound came from, but as this was the day fixed for the general rendezvous of Cole and Conner's command near the mouth of the Rosebuds, some eighty miles away, it was supposed that the sound came from that direction. Gen. Conner directed that Capt. North, with about twenty of his Indians, and Capt. Marshall, with about thirty men of the Eleventh Ohio cavalry, push on rapidly to the rendezvous to communicate with Cole. Marched fifteen miles September 1.

September 2.—Did not leave camp until 1 o'clock P.M.; marched down the river eight miles; valley has narrowed up very much; the country appears rough and irregular. Last night several "medicine wolves" were heard to howl about camp. Ever since we left Fort Laramie our camp has been surrounded with thousands of wolves, that made the night hideous with their infernal howlings, but not until to-night have we heard the "medicine wolf," which old Bridger claims to be a supernatural sort of an animal, whose howling is sure to bring trouble to camp. Bridger, Nick Janisse, and Rulo, being very superstitious, were so frightened by this peculiar howling that they took up their blankets and struck out for a new camp, which, according to their theory, was the only way of escaping from the impending danger. They went down the river about half a mile and camped in the timber by themselves.

September 4.—Weather not quite so cold as yesterday, not so disagreeable; country very rough, scarcely any grass—not a spear was seen for miles on the march. Passed down Tongue river; was compelled to cross the stream dozens of times. A messenger from Col. Sawyer's train of emigrants came into camp to-night with the news that his train had been attacked by the Indians, supposed to be the same ones that we had fought; that Capt. Cole, of the Sixth Michigan, and two of his men, were killed; that the train was parked and the

men doing their best to defend themselves. From him we learned that Col. Sawyer, with about twenty-five wagons and one hundred men, were en route from Sioux City to Bozeman, by way of the Big Horn or "Bozeman route;" that they had passed over the country by way of the Niobrara, north fork of Cheyenne, between Pumpkin and Bear Buttes, intersecting our trail near Fort Conner; that Col. Kidd, whom we had left in command at Fort Conner, had sent Capt. Cole with twenty men as an additional escort for the train, to help them through the Arapahoe country.

Capt. Brown, with two companies of California troops, was hastily detached from our command and marched west about forty miles to relieve the train. When they reached the train they found that the Indians had given up the attack, and on the next day the train pushed on, Capt. Brown accompanying them. Our command continued their march fifteen miles down the river.

September 5.—Lay in camp all day waiting for some word from Capt. Marshall. The general is very anxious to get some news from the column under the command of Col. Cole. Capt. Marshall's guide returned from the Rosebuds to-night with no news from Cole's command. Capt. Marshall reached camp with his men soon after, having been to the rendezvous and finding no evidence of our supporting column there.

September 6.—The command about-faced to-day and marched back up the river fifteen miles to find better grass for the stock. A scouting-party under Capt. North having returned from the mouth of the Tongue river on the Yellowstone, and reported no grass and no sign of Cole's command.

September 7.—Marched up the river fourteen miles; found grass, and camped.

September 8.—Capt. Frank North, with twenty of the Pawnee scouts, left for the Powder river this morning. Capt. Humphreyville and a part of his company were ordered to the Rosebuds; small scouting parties were sent in every direction to obtain, if possible, some news of Cole's command. No signs of Indians; weather very cold and disagreeable.

September 9.—Still raining and snowing; roads are frightfully muddy, almost impossible to move the train; has been raining and snowing for three days.

September 10.—Stopped raining this morning; several mules and horses have died from the effects of the storm. No news from the other column. The Tongue river has risen about two feet, and we find it impossible to cross.

September 11.—Moved camp one mile up the river to better grass. Capt. Humphreyville returned from the Rosebuds to-day, reporting no signs of Cole's command. Capt. North also returned from Powder river and reports that he found between five and six hundred dead cavalry horses, undoubtedly belonging to Cole's command; most of them were found shot at the picket line. From that it appears that Cole has been hard pressed by the Indians, and has been compelled to dismount his men and to shoot his horses, the Indians giving them no chance to forage. A large number of saddles and other property had been burned. His trail was well marked, and shows that he has pushed on up the river in an opposite direction from the course which he had been ordered to take. This startling news shows conclusively that we are nearing the end of our expedition which we fear must end disastrously. As acting commissary of subsistence, as well as quartermaster, I realized that Cole's command must be out of provisions; that they had provisions until only about the 3d or 4th of September, when they were supposed to meet our train; that by this time, September 11, they must be either out of provisions, or that they had been living on half rations for some time previous. The situation was indeed a critical one. Here a superior force had been attacked by the Indians at a point only seven miles east of us, and had been driven from their line of march to take another route, and had been so hard pressed by the savages that they were compelled to shoot their horses to save them from falling into the hands of the enemy, and to enable the men to do better fighting on foot. Our fighting force was only about 400 men, counting sixty men with Capt. Brown, who was then 100 miles away; theirs 1,600, four times our number. What would be our fate should these Indians turn from the pursuit of Cole, and cross over from the Powder river to Tongue river, and concentrate with the Arapahoes in an attack upon us! We knew, or at least Capt. North and his Indians knew, that the Indians who were pressing Cole were the Sioux and Cheyennes, and that they numbered thousands; according to the very best estimate, 5,000 or 6,000 Indians. Nearly all the men realized that they must be prepared to do

some very good fighting; that our only chance of escape from the country depended upon cautious movements as well as good luck. Early in the morning of September 12 we took up our line of march for Fort Conner. By doubling teams, as many as thirty span of mules hitched to several wagons, we managed to drag our loads across the river, and by hard work made twenty miles to-day. Ran across two very large herds of elk that had been driven into the timber by the storm. This morning early Gen. Conner dispatched one white man, whose name I have forgotten (it ought to have been preserved, as he was a hero), a member of the Seventh Iowa cavalry who volunteered to go with five Pawnee Indians, at the risk of his life, and supplies for his men, a fact known to Col. Cole. This move was an important one, and the scouts were instructed to travel only by night, and to run the gauntlet at all hazards, otherwise Cole and his men might perish within close proximity to the fort where there was an abundance of supplies, food, and ammunition. This party made the trip safely; traveling only by night, they managed to reach Cole's camp, and to communicate with him, which to his starving troops was glorious news, that if they pushed on rapidly they would find plenty to eat.

September 13.—Continued our march up the river eight and one-half miles, when the teams were so badly played out that we could march no further.

September 14.—Marched thirteen and one-half miles. Another detachment of scouts, Pawnee Indians under command of Capt. North, also Capt. Marshall, with a small squad of the Eleventh Ohio cavalry, were started for Powder river this evening, with instructions to fight their way through to Cole's command. The general is risking our entire force for the salvation of Cole's men. If our force should be attacked now, it would be short work for the Indians to massacre the entire party.

September 15th and 16th were spent in recuperating our stock, as we found the mules too weak to pull the wagons.

September 17.—Marched up the river fourteen miles and camped. About three o'clock to-day while the train was crossing the river, experiencing a great deal of trouble. I struggled on ahead of the command to the advance guard and beyond. I had my Sharpe's rifle with me and thought I would push on a little farther and see if I could not

shoot an elk. Crossing over a little divide, I found that to reach the next point of timber, I had a bottom of about two miles in width to cross. Not seeing any Indians, or signs of Indians, I very recklessly gave my fast walking mule the rein and continued on. Soon after reaching the timber I concluded I was getting too far ahead of my command, led my mule a short distance off the road, tied him to a sapling, took my gun and set myself on a log, when suddenly I heard the clank of horses' hoofs on the rocks just ahead of me. Glancing in that direction I saw just before me a party of Indians, sprang to my feet and raised my rifle, as they pulled their reins, having noticed me; just at that moment the face of a white man appeared behind the Indians, and they threw up their hands to show that they were friendly. The white man, who proved to be, Lient. Jones, of the Second Missouri artillery, rode up. He was from Cole's command, and had been sent by Cole with the five Indians to communicate with Gen. Conner the safe arrival of our scouts, and that he would push on to Fort Conner. Jones had left Cole's command in the opposite direction from the Indians; had gone around them; discovered our trail near Big Piney, and followed down Peno creek to Tongue river to the point where we met. I was so rejoiced at hearing from Cole's command that I could scarcely keep back the tears, and when I rode back to the train the news made the men wild with joy; Cole's command had been found. Lient. Jones reported that soon after passing to the right of the Black Hills they were attacked by the Sioux who had continued to fight them from that time until they had reached Tongue river. By that time their stock had become so worn out for want of feed that they were compelled to shoot their horses and burn up a large supply of saddles, stores, and accoutrements, and to turn from their course towards the Wolf mountains to the Rosebuds, the country before them being so rough that they could not drag their wagons after their command. Col. Cole, being so early surrounded by the Indians, made up his mind that Gen. Conner must have been massacred, and that if he ever reached the Rosebuds, he would be in more danger than he was; that his only chance for escape now would be in retreating up Powder river, making his way, if possible, to Fort Laramie. Several of his men had been wounded by the Indians, and for several days the men had to subsist on mule meat, being absolutely out of provisions.

September 18 and 19, we continued our march up the river, camping on the 19th on Peno creek, three miles above our old camp. Large bands of elk passed the command to-day and several of them were stopped by our bullets.

September 20, continued our march up Peno creek sixteen miles.

September 21.—The command marched twenty-one miles to-day. Just before we left camp this morning I prevailed upon the general to allow Lieut. Jewett, Capt. Laurant, and myself with three men to ride two or three miles to the right of the command, to the front of the right flankers, to give us an opportunity to kill some elk; the country seemed full of them. The general made us promise that we would keep together, and being well armed we might fight off the Indians if they should attack us, and make our way back to the train. We extended our ride some two or three miles to the right of the line of march, and out of sight of the train in the foot hills of the mountains. About eight o'clock we ran across a large band of buffalo, and as we were out upon a hunt, dashed among them to see how many we could kill. I took after a fine bull, one of the best in the herd, who with a small band of buffalo struck up a ravine. It was short work to down the fellow and cut out his tongue as a trophy and to remount, when I discovered that there was not one member of the party in sight; I was entirely alone. I rode up on a hill expecting to see the party a short distance away, but saw nothing except here and there buffalo all on the gallop, and here and there an antelope. Thinking I was pretty close to the men, I pushed on in my regular course south, parallel to the train, dropping a little to the left, expecting soon to come in sight of the wagons. After riding about half a mile and reaching the top of a little ridge, I discovered, just before me, an antelope so very close that I could not resist the temptation to chance a shot. Jumping from my pony, which, by the way, was a wild Indian pony captured out of the herd a day or two before, I threw the lariat over my arm, raised the gun and fired. The pony gave a jump and dragged the rope through my hand, blistering the same very badly, and escaped. He galloped off in an opposite direction from which I was going. My first impulse was to fire on the pony; turning, I saw that I had shot the antelope, and that he was getting onto his feet again. As he was so close by, I dropped my gun on the ground, pulled my revolver, ran up towards the antelope and fired as I ran. The ante-

elope gained his feet and started down the slope. I had fired the last shot from my revolver and had no time to reload, and as I had wounded the antelope, continued the pursuit. For nearly half a mile I followed the antelope in a very winding course until, finally, he fell to the ground in his death struggles. I cut his throat and took the saddle—the two hind quarters. Started back to the hill to get my gun; found I was on the wrong hill. Was compelled finally to return to the carcass of the antelope and retrace my steps to where I fired at the antelope, tracking my way by the blood. This work delayed me fully an hour, but I was rewarded by finding the gun. Then, as I was so far behind the train (it was now 10 o'clock), I concluded it to be dangerous to attempt to follow it, and as I was afoot, my only salvation was in keeping at least four miles to the right of the train, away from the Indians who would probably follow the train, and to make camp in the night time. I hung on to the saddle of antelope and with my gun took up the tramp. After walking two or three miles I came to a ridge overlooking a little valley, and in the valley saw a horse, which upon closer inspection I determined to be my own horse, which had by a roundabout course struck the valley ahead of me. The animal was feeding by himself, not another animal in sight. I resolved at once to make an effort to recapture the horse. Slipping down to the creek, I deposited my gun and antelope meat in the limb of a dead cottonwood and commenced crawling through the grass, which was very high and fine, towards the horse. After more than an hour's work, slowly dragging myself along, I just managed to get hold of the end of the rope, but not with sufficient grip to hold the startled pony who again escaped me. This only aggravated me and made me resolve that I would have the pony or die trying. One, two, and more than three hours passed before I could again get hold of the rope; and finally it was about 4 o'clock P.M. when I managed to capture the pony. I had worked up the valley three or four miles above where I had left the antelope meat and my gun, but after mounting my pony it was a short ride back to these articles, and after lunching I took up my line of march for the camp; and without further incident of importance reached the camp at daylight next morning, having gone fifteen miles out of my way to avoid the possible chance of running upon the Indians. The other members of the party had joined the camp about 3 o'clock in the afternoon, and after 9 o'clock that night nearly every man in the camp had given me up for dead.

September 22.—Capt. Marshall and a detachment of his company came from Fort Conner with a letter to Gen. Conner with the news that he had been relieved of the command of the district of the plains; that Col. Cole with his two regiments of Missouri troops and the 16th Kansas cavalry had reached Fort Conner in a very destitute condition, half of the men barefoot, and that for fifteen days they had had no rations at all and had subsisted entirely upon what little game they could get close to camp, and on mule meat; and that they had been obliged to burn a large portion of their train together with camp equipage.

September 23.—Camped on Crazy Woman's fork, and on September 24th reached Fort Conner, having traveled twenty-five miles to-day. The general and staff reached the fort about eleven A.M.; train got in just before sundown.

Cole's command looked as if they had been half starved, and are very ragged and dirty; the men resemble tramps more than they do soldiers. They have had but little suffering since they left the Platte river, and are as completely disgusted and discouraged an outfit of men as I ever saw. They reported having fought the Indians six days on the Powder river, and claim they killed three or four hundred of them. This day's march ends the story of the Powder river Indian expedition. Gen. Conner will return with a small escort of men, leaving the command of the expedition to Col. Cole, who will make his way back to the states by slow marches. Gen. Frank Wheaton has been assigned to the command of the district of the plains and we expect to meet him at Fort Laramie.

I persuaded Gen. Conner to allow me to take back to Fort Laramie the captured stock, that he might have credit therefor.

On the 26th of September the general pushed out for Laramie with three ambulances, Capt. North with his Indians driving the stock. The general remained at Fort Laramie until October 4, when I received receipts from Capt. Childs for six hundred and ten head of horses; all that had been saved out of the eleven hundred head captured from the Indians. Horses had escaped from us every day on the march, and during the storm on Tongue river several had perished. On our march up Tongue river at least three or four hundred made their escape, at one time a band of more than forty in one drove. In the four days' lay-over at Laramie I had completed my reports to the

quartermaster and commissary departments, receiving the general's approval on all my papers, and his thanks for services rendered, and was enabled to accept an invitation to a seat in the ambulance and rode with him to Denver, where we had been invited by the citizens to a reception in honor of Gen. Conner. We left Fort Laramie with an escort of twenty men who accompanied us as far as Fort Collins; from that point we pushed on to Denver without an escort, arriving there about the 15th of October. We were received with all the honors that could be bestowed, a grand feast was prepared for us at the Planters' hotel, and the best people of Denver, almost en masse, turned out to the reception. The next day we were escorted by more than thirty carriages, filled with prominent citizens, to Central City, forty miles away in the mountains, where we were again received and toasted in the most hospitable manner. I returned to Denver in time to leave on the first coach that had been started from Denver for three weeks. Capt. Sam Robbins and Capt. George F. Price (who had been chief of cavalry for the general, and whom he had left at Fort Laramie in charge of the office as adjutant general of the district of the plains while we were on the expedition), together with B. M. Hughes, attorney general of Ben Holliday's overland mail line, and two Pacific railroad exploring engineers, with Johnny Shoemaker as messenger, who had with him \$250,000 in treasure, were fellow passengers. We left Denver at ten A.M. October 19, met with no incidents of an exciting nature until we reached Larry Hay's ranch about daylight the second day out.

Just as we were driving up to the station, we heard the roar of musketry and the infernal yells of the Indians who had attacked a train camped close to the station. The chief wagonmaster, Wells of Fort Lupton, was killed in the attack. I had just climbed out of the coach to a seat with the driver. Johnnie Shoemaker was in the boot asleep and every one in the coach was asleep, except the driver and myself. I had remarked to the driver that it was daylight and asked him how far it was to the station; he said it was close by, a mile or two ahead. Just then we heard the firing, the driver whipped his six mules into a run, and away we went pell mell for the station, expecting momentarily the arrows and leaden messengers of death. Fortunately for us the Indians were on the opposite side of the station and before we had reached the same had been driven away by the teamsters and

wagon men. At O'Fallen's bluff, near Baker's ranch, we were again attacked by the Indians and ran into the station, where we defended ourselves until morning.

Next day pushed on with the coach with all the passengers on foot as an advance guard and flankers. Fortunately for us two companies of a West Virginia cavalry regiment were on the march up the Platte and happened to meet us in the worst part of the hills. Their presence had driven away the Indians and we were enabled to drive through the bluffs in safety. This is the last incident worthy of record of the Powder river Indian expedition.

As a summary of general results, I can only say that, even with the disastrous ending of Cole's expedition, the Powder river Indian expedition of 1865 was not a failure. The general's plans to "carry the war into Egypt" succeeded admirably; the warrior element by the movement of these columns were compelled to fall back upon their village to protect their families, and during the progress of the campaign the overland line of travel became as safe as before the Indian outbreak.

It was not until Gen. Conner retraced his steps by order of the war department back to Laramie, with all the soldiers, that the Indians, thinking he had voluntarily retired from their front, again hastened to the road, passing Gen. Conner's retreating column to the east of his line of march, and again commenced their devilish work of pillage, plunder, and massacre.

Gen. Conner's ability, sagacity, and courage, and best of all, his success as an Indian fighter, remains unchallenged in all the western country. His early schooling in Indian wars especially fitted him to become, as he was, the "big medicine man" of their hereditary foe.

Gen. Patrick Edward Conner first enlisted in the regular army November 29, 1839; was discharged November 29, 1844; was commissioned colonel of the Third California infantry volunteers September 29, 1861; fought the famous Bear river fight (263 dead Indians to tell the tale) January 29, 1863; was promoted brigadier general March 29, 1863; fought the battle of Tongue river August 29, 1865; promoted brevet major general for gallant and meritorious conduct March 29, 1866. This grand old warrior was a captain of volunteers in the Mexican war; was three times severely wounded, and is drawing a pension for his disability. He was stationed at Council Bluffs, a member of the Fourth dragoons, in 1840, forty-seven years ago.

HISTORY OF CASS COUNTY.

BY DR A. L. CHILD.*

In March, 1876, the U. S. Congress passed a joint resolution recommending throughout the republic a general observance of this hundredth anniversary of our national independence, and that, in addition to the usual observances, each county and town cause an historical sketch of said county or town, from its foundation to the present day, to be prepared, and that a copy of it be filed in the clerk's office of the county, as also in the office of the librarian of congress, to the intent that a complete record may thus be obtained of the progress of our institutions during the first centennial of their existence.

This resolution was approved by President Grant on March 13, and he issued his proclamation to this effect, further recommending that the governor of each state and territory also issue a like proclamation to the people of said state or territory, that notice might thus be brought directly to the mass of the people.

In accordance with this recommendation Governor Garber issued his proclamation from Lincoln on the 25th of April, 1876.

The conception of this idea, with whomsoever it originated, and these acts of our authorities, are worthy of all praise. The importance and value of such a photograph of our country at this peculiar time, which finds the whole country aroused and excited on this subject, and on every side pondering upon and pouring forth reminiscences of the past, will be above all price. It is a most happy time for such a purpose.

On May 10, 1876, the Plattsmouth city council, through his honor the mayor, Gen. Livingston, proposed to me that I should undertake to prepare a sketch of the history of the city of Plattsmouth, including so much of a history of Cass county as might be necessary to show its connection with and relation to the city.

The county commissioners had neglected to undertake any action

*The original pamphlet of Dr. Child is entitled, "Centennial History of Plattsmouth City and Cass County, Nebraska, with an Appendix from the Records and Files of the Pioneer Association of Cass County, Nebraska." On account of lack of space the editor has been able to reprint only that portion relating to the county proper.

under the above recommendations for a history of the county, and the city council, of course, could act officially only for the city. As I felt the great importance of a more extended history of the county than the action of the council indicated, I obtained permission of that body to enlarge and extend the history of the county, and thus make it a sketch of the history of Cass county and the city of Plattsmouth.

It is needless to say that much very important and interesting matter, requisite for such a sketch, is already lost, or exists in such a mutilated and contradictory form that it is not available; while what was written, that still remains, was so imperfectly executed that it conveys but little reliable information. And yet our task in Nebraska as compared with that of the older states is light and easy. We have the history of the youth but just arrived at the years of manhood (22 years) to record, while they have that of the hoary veteran of from one to two and a half centuries.

In the following sketch much care and labor have been expended in sifting and authenticating the information obtained, and only that has been recorded which seemed most reliable; yet with the many conflicting recollections and imperfect records it will be strange indeed if errors are escaped.

A treaty between the U. S. government and Indians, in which the Indians relinquished their title to the lands bordering on the west bank of the Missouri river, was concluded and ratified on April 17, 1854, and proclamation by President Pierce, of this treaty and the extinguishment of the Indian title, was made on the 24th of June following. Previous to this, however, large numbers of people, in expectation of these events, had gathered along the east bank of the river, ready at a moment's warning to "jump the river" and drive their stakes for "claims" on the long coveted grounds of Nebraska, the government having up to this date rigorously blockaded the passage by military posts on both sides of the river, and this blockade seems to have been decidedly more effective than that attempted during the year past around the Black Hills. No person was allowed to settle or remain on Nebraska soil except by special permit of the secretary of war.

The first permit of this kind within the bounds of Cass county was obtained by Samuel Martin, to establish a trading post on the Missouri river, below the mouth of the Platte. Under this permit, Samuel Martin, assisted by James O'Neil and others, early in the spring of

1853, built the old two-story log house at the foot of Main street, on the north side, on lots 6 and 7, block 31, so well remembered by all our old settlers. It was placed on nearly the same ground now occupied by the brick erected by Wm. Herold in 1864, and subsequently used as the printing office of the *Nebraska Herald*. The "old barracks," as this was more generally called, was subsequently used for different purposes—stores, offices, post-office, etc., till it was removed to make room for the brick. The logs of the "old barracks" were from an old house in Iowa, and brought over on the ice before it broke up in the spring of '53. In the fall of '53 James O'Neil also built for the same Samuel Martin the smaller log house, a little north and west of the first, which in later days was largely used for county offices, and where many of us in 1857 and '58 paid our first tax in Nebraska, which, in consequence of illegality of proceedings in assessment, was subsequently refunded.

The occupation of this trading post in the spring and summer of '53 by him made Samuel Martin the first white settler in Cass county.

On the extinguishment of the Indian title, June 24, 1854, a rush was made for the most valuable claims, and but a few days passed before most of the more desirable lands in Cass county near the Missouri river were staked and marked with the claimants' names.

I do not propose to cumber this record with the names of those who came here simply for the purpose of speculating in "claims," and who often forced the real pioneer to pay two, three, or half a dozen prices for his homestead, and then returning to his home in other states, or else passing on to repeat the same process in newer fields, left the pioneers to fight their own battles and endure all the privations and hardships incident to such life. The claims of these two classes to the regard of the later population of Nebraska are widely diverse.

The speculator and claim jumper, in violation of all right and justice, and almost invariably by perjury, seized upon the just and legal rights of the real settler, and by forcing him to pay two or more prices for his land, thus stripped him of his small means which were necessary to enable him to successfully accomplish the task he had undertaken, and to him, living meanwhile in a "dug-out" but little better than a hole in the ground, scantily clothed, and oftentimes in need of food he could not obtain, the real pioneer (whose name let us honor), we owe the Nebraska of 1876.

Before the legal organization of the territory of Nebraska, some 250 men had penciled their names on stakes within what is now Cass county. As this matter of "claims," and "club law," which attended it, is not as familiar to the later population as it was to the old settler, a few words in explanation may not be amiss. A claim was any subdivision of a section (a square mile), as a half, a fourth, or an eighth of a section, the lines conforming to and parallel with the lines of the section, if already surveyed. If not surveyed, the claimant fixed his own boundaries, but after the survey was made by the government he must adapt his lines to those of the survey.

The U. S. laws allowed a claim only of 160, 120, 80, or 40 acres, unless it was in case of a fraction, when the whole fraction might be claimed. The clubs generally allowed and protected claims of 320 acres, looking to further legislation by congress to authorize such entries.

To take a claim was to stake out any of the above described quantities and write the claimant's name and perhaps a description of the land upon the stakes, then have this description filed and recorded by the secretary of the club, and this constituted a "claim."

To "jump a claim" was to remove the stakes already set, and put up others with the jumper's name upon them.

Club law was the personal government of the settlement by the settlers themselves in club meeting assembled.

Before the organization of our territorial government it was found necessary to have some tribunal for the settlement of disputes, and each settlement defining its own boundaries formed itself into a "club" for this purpose. A president, secretary, and treasurer were elected, a constitution and by-laws adopted, and provision made for regular and special meetings. The secretary kept a journal of the proceedings of the meetings, also a "claim record." To make a claim valid it must first conflict with no other member's rights, and then be recorded with the number of section, township, and range, also the date. Most of the clubs also required the positive assurance that it was intended for a bona fide settlement. These clubs varied much in character, according to location. The earlier settlements near the river were largely composed of speculators, who often equaled, if they did not outnumber, the real settlers; while farther back from the river the number of pioneers largely predominated. Of course the differ-

ent clubs varied in character. On the one extreme self-interest ruled largely in most of the proceedings; while on the other the general interest and welfare of the settlement was the ruling principle.

An offender against the laws or decisions of the club was generally summarily dealt with. There was no machinery for assessing fines; no jails or prisons; hence little or no attempt was made to grade the punishment according to the offense. In the clubs controlled by real settlers the offender had a fair trial and was informed what he *must* do to retain his membership, and the penalty of refusal to conform at once to the judgment of the club. The penalty of obstinate and unyielding disobedience was "removal from the territory," or, in the language of the day, to be "put over the river," and in extreme cases the word "over" did not reach the other side. Very few had the hardihood to resist the judgment of the club, for it was well known that persistent offenders would be so effectually *removed* that they could cause no more trouble.

There was probably but one case in Cass county when it became necessary to resort to this extreme penalty. This one, but too vividly remembered yet by many citizens of Plattsmouth, was when four unhappy men were started on their last journey *over* the river; but their arrival on the other side has never been reported, nor have they been seen or heard from since.

Other clubs had hard cases to deal with, but they yielded or left before coming to this last fearful resort.

Much has been said and published over the country of these clubs. They have been called mobs, lynchers, and many other bad names. Some of this talk was probably justified and deserved by wrongful and abusive acts, but in the main it was not. Some of them, in the vicinity of the Missouri river, were largely composed of speculators and outlaws, congregated there and remaining only long enough to secure claims, perhaps several, raise what they could upon them and then return to their homes. Devoid of truth, honor, or integrity they obtained titles to land by perjury. They had no interest in the country except what they carried out of it in their pockets. Sometimes outnumbering the real settlers in the clubs they overruled its action in their own interest, and thus brought disgrace and scandal upon "club law." But the settlements more remote from the border were less infested by this class, and here club law, although very ex-

pensive from the amount of time required of each member in personal attendance, formed the best government, in my judgment, that I ever knew.

Before seeking Nebraska I had heard much of the lawless crowd congregated here, and really expected to find little else than ruffians and blacklegs on my arrival. On the evening after I first saw Cass county I learned that a club meeting was to be held near by on the same evening. Full of curiosity I attended the meeting, expecting to see an assemblage of anything *but men*. As they gathered in, to the number of some forty-five or fifty, I watched closely for the cloven hoofs, and scanned the faces for the features of the outlaw and ruffian. But my search was in vain; I discovered none of the characteristics for which I sought. I was much surprised, and still more so by the tone, order, and character of the proceedings—and after some two years' of membership in that club I should to-day have no hesitation in submitting any question in which I had an interest, of whatever importance, even of life or death, to that club, in preference to any legal court I have ever known, either in Nebraska or elsewhere.

The speculator has been the *curse* of Nebraska. Not only did he demoralize our clubs. His object was "claims," and no course, however vile or rascally, was too low if it led to this object. He sneaked around through the settlements talking of his "great desire for a fixed home," of his "wife and children who would be delighted to come into *such a settlement*," thus adding to the society and helping to build up schools, churches, roads, bridges, etc. This, he well knew, was the weak side of the pioneer, who with his wife and children were homesick and lonely. It was impossible with his scanty means to build school houses and support schools, and it was a severe trial to see his children growing up without education. Many were also deeply anxious for the gospel privileges left behind; and bridges, an absolute necessity, it was often impossible to supply—and more settlers only could supply these demands, and remove the evils. To obtain them and this relief he threw his cabin or "dug-out" door wide open to strangers, divided his last meal with them, perhaps not knowing where the next could be obtained; gave up his bed and slept upon the floor, if he was so fortunate as to have one; left his work and went out over the prairie to hunt up a claim for the promising stranger; or perhaps showed him the fine one he had picked out and been writ-

ing back to the old home, urging the relative or friend to come out and occupy—anything and everything to increase the settlement.

Well, our wolf in sheep's clothing, hugging himself and chuckling over his own shrewdness and the greenness of the pioneer, procures four stones, puts them in his pocket, and goes out to take possession of his claim. He drops the stones at the supposed four corners of a house, takes a small stick, splits one end, puts a bit of window glass in the split and sticks it on one side of the house for a window; borrows a blanket or two and perhaps a bit of plank from his host and goes out at night to his new home, throws down his plank, places his blanket over it and lays down to sleep. Then, with the most positive assurance that in so many days or weeks he will be back with his family to settle down for good, he leaves for the land office and solemnly swears that he has taken a claim, so and so; that he has built a dwelling house upon it with glass windows and a plank floor; that it is for the sole purpose of a *home*; that he wishes to enter it, and that it is his home and he has moved into it as such. He gets his duplicate, steps out, and leaves for his home and family, if he has one, congratulating himself on his sharpness as a speculator. He has entered a fine tract of land at a cost of sixty to eighty cents per acre, which he assures himself will soon sell for \$10, \$20, or perhaps \$50 per acre.

Some may think this is an exaggeration or overdrawn sketch. But if you doubt it ask any old pioneer for the facts in the case, and he will duplicate it as many times as you wish. The result of such operations to the pioneer was disheartening and disastrous. He was thus gradually hemmed in and blockaded by speculators' lands, which, by reason of falling prices, remained on their hands unsold and unimproved. He had by his own generosity and kindness helped these vampires to isolate himself from neighbors; and he had not only to paddle his own canoe alone, but he was forced by long and severe privation and toil, gradually improving and enhancing the value of his own land, to also paddle the canoe of his adversary, by raising the value of surrounding lands till they could be sold at a satisfactory price.

And yet this movement did not result in such entire success to the speculator as he had anticipated. He overdid himself. The times were not favorable to a rise of land values; and again, he grabbed so

largely and crippled the pioneers and hemmed them in so closely that they could not open up and improve land enough to increase the values of surrounding lands to much extent. Hence many were obliged to sell at prices far below the cost of entering, interest and taxes. And large quantities are held to-day in Cass county by those who have nearly if not quite lost all hope of ever recovering the money expended.

But for these men there would have been to-day but few, if any, acres of unimproved land in Cass county, and the county would have been millions richer than it now is. For twenty years emigrants have been rolling through our county who would gladly have pitched their tents with us, and often with large capital. But there was no room for them.

Am I not fully justified in denouncing the land speculator as a *curse* to our county?

From my own recollections, aided by several kind friends in different parts of the county, I give the names and time of settlement of a few of the pioneers. Many of the first on the ground in several precincts were merely speculators, or of a transitory character, selling out their claims and passing on; I therefore omit them; many entire precincts and settlements are omitted also, as letters of inquiry remain unanswered.

IN MARTIN'S PRECINCT, now Plattsmouth, the following names are found in 1854, viz.: Samuel Martin, Jacob Adams, Wm. H. Shafer, J. W. O'Neil, W. Mickelwait, C. H. Wolcott, Levi Walker, Stephen Wiles, A. J. Todd, and Wm. Gullion.

ROCK BLUFFS—N. R. Hobbs, Wm. Young, F. M. Young, sen., Wm. Gilmour, sen., Abram Towner, Benj. Albin, J. McF. Haygood, 1854.

FOUR MILE CREEK—Lorenzo Johnson, 1855; Thomas Thomas, Wm. L. Thomas, Samuel Thomas, Peter Beaver, Capt. D. L. Archer, 1856.

EIGHT MILE GROVE—John Scott, 1855; John Mutz, Geo. S. Ruby, J. P. Ruby, 1856.

LOUISVILLE—Adam Ingram, James Ingram, 1856; A. L. Child, 1857; Wm. Snyder, Conrad Ripple, Pat. Blessington, Fred. Stohman, 1858.

AVOCA—John Kanoba, J. G. Hanson, 1856; Amos Teft, sen., Amos Teft, jr., Orlando Teft, 1857; Geo. W. Adams, 1859.

LIBERTY—Joseph Van Horn, 1854; Samuel Kirkpatrick, 1855; L. Sheldon, J. F. Buck, Stephen Hobson, 1856.

The dates indicate the time when the pioneer planted his stakes for a home, although his family might have still been left behind; yet then and there he identified his interests with that of the county, as proved by continued residence up to the present time. Some, however, have changed their residence to other parts of the county, and several stood faithfully at their posts till mustered out of service for their final settlement.

As before said, the Indian title was extinguished in June of 1854, and soon after Francis Burt was appointed governor of Nebraska Territory, and Thomas B. Cuming, secretary. On October 10, 1854, Gov. Burt arrived and made his headquarters at the old Mission House, Bellevue, but delayed in his arrival by sickness, he continued to fail till Oct. 18, when he died. T. B. Cuming, then acting governor, immediately set about preparing the machinery of a territorial government. He appointed marshals and ordered an enumeration of the population. The enumeration to be commenced Oct. 24, 1854, and returns to be made on or before November 1. His instructions to the marshals were to be very cautious and careful to include no one in this enumeration but actual and *bona fide settlers*, with stringent oaths in case of doubt.

Under this census Cass County returned — inhabitants. On this enumeration he apportioned, out of the twenty-six representatives allowed for the territorial legislature by the organic act, three members to Cass county, and one councilman out of thirteen, and ordered an election to be held for a legislature on December 12, 1854. In the proclamation calling this first election, Cass county was described as "the county lying between the Platte river on the north and the Weeping Water on the south, and from the Missouri river on the east to the limit of the ceded lands on the west" (about 100 miles). It was divided into two voting precincts, viz., Martin's precinct, voting at the Old Barracks, with James O'Neil, Thos. G. Palmer, and Stephen Wiles as judges, and T. S. Gaskill and L. G. Todd, clerks; and the second, "Kanosh" precinct, to vote at the house of Col. Thompson, J. S. Griffith, Thos. B. Ashly, and L. Young, judges,

and Benj. B. Thompson and Wm. H. Davis, clerks. At this first election in Cass county on Dec. 12, 1854, I find the poll books for Martin's precinct (now Plattsmouth) and the number of voters 78. The Kanosh poll books I do not find, but infer from figures and calculations made about the election, that there were some sixty votes polled there.

N. P. Giddings was elected as Nebraska's first delegate in congress, Lafayette Nuckolls, councilman from Cass county, and J. M. Latham, J. D. N. Thompson, and Wm. Kempton, representatives. It is said that this J. M. Latham sold out the interests of his constituents for a consideration, and not long after died drunk in a ditch in St. Joe.

Of the voters whose names are recorded at this first election in Martin's precinct, who are still with us or remained with us till the close of their lives, I find Samuel Martin, who died three days after, viz., Dec. 15, 1854, thus being not only the first white settler in the county, but filled the first white settler's grave. He was buried on the hill where several other graves now are, in Young & Hayes Addition, west of the High School building.*

The other voters were Jacob Adams, Wm. H. Shafer, Broad Cole Wm. Gullion, James O'Neil, W. Mickelwait, John Watson, Henry Watson, Joshua Murray, A. J. Todd, Samuel Hahn, L. G. Todd, Levi Walker, Stephen Wiles, Joshua Gappen, and 63 others, most of whom had no legal right to vote but still remained and intended to remain citizens of other states.

Acting Governor Cuming convened the first legislature, January 16, 1855, which adopted a large part of the Iowa civil code, which gave the probate judge a very important part to play in the administration of county affairs. This legislature also further defined the boundaries of Cass county as follows, "On the north by the Platte river, east by the Missouri, south by Pierce county (now Otoe), and extending west twenty four miles on the south line." Pierce county, the northern line of which now became the southern boundary of Cass, was to commence one and a half miles north of the mouth of Weeping Water, and thence running twenty-four miles west.

The register of deeds was required to act as clerk to the probate

* The bones disturbed a few years since while grading the street east of the Episcopal church were those of a woman passing through, westward, who died and was buried here in 1852 or 1853.

judge, and the two performed all the present duties of county commissioners, recorder, and county clerk. On March 30 the governor appointed Abram Towner probate judge, and Thomas J. Palmer register of deeds, as also Thomas B. Ashley, justice of the peace for Kanosh precinct. On the same day Judge Towner opened his court and by order divided Cass county into two precincts by the following lines: "Beginning at the mouth of Rock Creek, then up the creek to the main fork near John Clemmons', thence up the north fork to the old emigrant road, and thence westward along the same to the west line of the county." North of this line to be Plattsmouth precinct, and south of it Rock Bluffs. He also ordered the first county election to be held on April 10, 1855, and appointed James O'Neil, Elias Gibbs, and Stephen Wiles as judges, and Charles Walcott and P. Shannon as clerks of Plattsmouth precinct; and Thos. B. Ashley, Frank McCall, and Curtis Rakes, judges, and Wm. H. Davis and John Griffith, clerks of Rock Bluffs precinct. No returns or poll books are to be found of this election, but I learn from Judge Towner that L. G. Todd and Allen Watson were elected as justices of the peace for Plattsmouth precinct; and Thos. B. Ashley and Thos. Thompson for Rock Bluffs; and Bela White county treasurer.

On May 1, 1855, Thos. J. Palmer was removed from the office of register of deeds, because he was not a resident of the county, and Wm. H. Davis appointed in his place.

June 4, 1855, A. C. Towner, previously appointed sheriff by the governor, was ordered to assess the county. Of this assessment I find no record. The first legislature (of January 16 to March 16, 1855) provided for an annual general election on the first Tuesday in November, for which the probate judge was required to appoint judges and clerks.

At this, the second general election, H. C. Wolph was elected probate judge, and Wm. Young, county surveyor. No record is to be found of the members of the legislature, but there was a tie vote on sheriff. Allen Watson and Moses Jackson were elected justices for Plattsmouth precinct, and Matthew Hughes for Rock Bluffs. A special election was ordered for a sheriff, with a second tie as the result; and a third election was ordered. A little skillful maneuvering this time detached a few of Mr. Lucas' supporters on a surveying trip, and returned W. R. Ellington as sheriff.

On January 7, 1856, H. C. Wolph entered upon his duties as probate judge. On March 3 he divided Rock Bluffs precinct into Cassville and Kanosha. He also appointed a grand and petit jury preparatory to the holding of a district court in the county in April. The names of these jurors are missing.

Judge Edward Harden presided at this first session of the district court in Cass county in April of 1856, and A. C. Towner seems to have acted as sheriff, although W. R. Ellington was elected in November previous.

On May 5, 1856, Sheriff Ellington was ordered to assess the county; and on September 10, on petition of several citizens of Clay and Lancaster counties, the probate judge created the precinct of Chester, and on the same day divided Cass county into three commissioners' districts named Plattsmouth, Kanosha, and Cassville, preparatory to the election of county commissioners, as the legislature of 1855-'56 had repealed the previously adopted Iowa code, and provided for a board of county commissioners. Hence, with the general election of November 4, 1856, or rather on January 1, 1857, when the newly elected officers entered upon their duties, the large powers of the probate court came to an end.

The choice of lands in 1854 was confined almost entirely to the vicinity of the Missouri river; few, if any, were taken at any considerable distance from it.

In 1855 a few settlers reached out to Four Mile creek, Eight Mile grove, and a short distance up the valley of the Weeping Water; but in 1856 there was a more general extension. The several earlier settlements were much enlarged, and in addition the Weeping Water, up to and above the Falls, Cedar, Thompson's Fountain, and Salt creek, had considerable settlements.

The frontier wave of settlers has rarely if ever become fixed and made a permanent settlement. After a few years, and sometimes only months, for recuperation and rest, it rises again and rolls on toward the west.

This class of pioneers has held a prominent position in our national history from the earlier settlements on the Atlantic to the present day—a class but too generally intolerant of the restraints of law, order, or civilization, and not greatly noted for love of industry, truth, right, or justice, yet including many sturdy, upright, and honest men, who

cannot endure the artificial trammels of society nor the technical quibbles of law, by which honest men so often suffer and rogues and villains fatten.

This class has generally gathered on the western border of the settlements (as there was always room there, but not always in any other direction), and as the hated habits, forms, and powers approached, they receded from them. Like Cooper's old "Leatherstocking," they could not endure the white man's clearing or his wasteful ways.

They have moved, moved, and moved again, till the great barrier, the Pacific ocean, 3,000 miles from their starting point, has arrested the movements of some, but not of all; for some, with a great bound, have reached the Sandwich Islands, and others, with a still greater, have landed in the Russian possessions in northwestern Asia.

Many of this class, moved by their natural impulse, and others under the excitement of the newly discovered gold fields, left the county from 1858 to '60-'61; but the vacancies were filled, or perhaps overfilled, in the two or three following years, by the crowd from the east, hurrying from the "wrath to come" in an expected draft into the army.

In all new settlements hardship, privation, and severe toil are almost always necessary attendants, and though often talked of and most acutely felt by the old pioneer, are seldom realized by the inexperienced hearer. Some of these were peculiar to our situation. In 1854, '55, '56 money was plenty and easily obtained by those who had means; but probably here for the first time many realized that money, although the pocket might be full, would not stop the cravings of hunger nor shield the body from the fierce winter winds and snows. We were not on the frontier of an old productive country, but on a frontier of a frontier.

A new settlement is usually composed of industrious, hardworking men and women, nearly, if not all, bees, and no drones. Our population was at least one-half non-producing speculators—drones, who consumed the larger part of what the bees produced or procured. They were here to make money, by taking claims and selling them at large profits; to plat cities on paper, sell corner lots, and then perhaps find a location to drop the plat upon, and some never found an abiding place on which to rest, while many with a price current for lots, quoted daily, never had a building upon them; a legion of them in this

county flourished under wonderful acts of incorporation, had splendid and costly lithographs and engravings of them, exhibiting their magnificent parks and public buildings. While many held the location of the state or territorial capital, none had less than the county seat and county buildings.

Thousands of dollars were invested in these cities, in which somebody surely made money, and just as surely somebody lost, for to-day, with the exception of some half-dozen villages, their names and locations are only in the history of the past.

This large portion of our population with ready means secured a large proportion of the provisions and other necessary articles which could be obtained, and left the pioneer to get what he could, which was often little or nothing. Under these circumstances, with but few real producers, and those necessarily much restricted in their farming operations by the first demand of a shelter for the family, where there was but little if any material to construct one of, and the further task of providing food, during at least the first year, from outside his farm, and often nothing to be obtained at any price within a day's travel, and with the average pioneer but little if any surplus of money to buy with, you will see he had a hard row to hoe.

Permit me to give you a brief history of one pioneer of 1856, who well represents the class, except in one point—he brought more money with him than the average pioneer, hence could command assistance and necessities which many could not. Money enabled him to defend rights which others were obliged to yield to the rapacity of the speculator, and again, he was near a point in the county where such supplies as could be obtained were more easily reached. At some forty-five years of age he had sold his farm in an eastern state, which he had cut out of the solid timber, and this is generally considered equivalent to the life work of a man, viz., to clear up and put in running order a heavy-timbered farm. The man who has done it is rarely worth much, physically, after.

He crossed the Missouri with a large family late in the summer of 1856, with some \$2,800 in his pocket, but the speculator was ahead of him. He could find no land unclaimed without going far out from the river. He therefore yielded his rights to these robbers and gave them \$305 for the privilege of buying a homestead—that is, he bought a claim of them—and then set himself to work to make a home. A

few cottonwood boards from Clark's saw mill, over near St. Mary's, in Iowa, enabled him to build a shanty 10x15 feet square, a rather roomy place for a family of eight or nine, with household goods, beds, furniture, etc., but he soon found large opportunities to fill up the extra room with travelers, wayfarers, and new settlers, who else would have been forced to camp on the open prairie.

He had brought with him a large load of provisions, but his neighbors, less provident or able, had nearly or quite exhausted their stores, and as only chance supplies could be obtained from passing boats, he was obliged to divide out, so that as winter approached his stores were nearly exhausted also. A much-traveled road passed his place, and a constant train of newcomers and old settlers from more distant settlements were continually calling for food, and often a night's lodging. It was not the habit of the pioneers to pull in the latch string, and the hungry traveler must have his meal, even if it left but a scanty supply for the farmer or the family on the morrow. Further supplies must be had, and his team was sent—not down into Egypt, but over to the already badly-ravaged land of Iowa. After considerable search, however, they were successful in loading their wagons; but on their return, on reaching the river, they found it impassable from floating ice. A cold snap since they passed over had filled the river with ice, and our friend Mickelwait, who then as now ran the ferry, a flat-boat at that time, dared not venture in the heavy ice. Well, there was nothing to do but to—wait. Meantime our pioneers, and many others, nearing the point of destitution of food, were watching and waiting on the bank of the river for the time when the boat would venture out. At length the time came, after days of delay. The boat ventured out, and landed the teams in safety on the Nebraska shore, and the threatened famine was for a time postponed.

In March of 1857, after much difficulty from high water and peril from floating ice, he succeeded in reaching the land office at Omaha, entered his land, and received his duplicate; but his troubles were far from over yet. A gentleman (?) speculator, a member of the club, fancied he saw a chance for a speculation. In a club meeting, of which both parties were members, he alleged he had a prior claim to the entered land. A majority of the club were speculators, and sympathized with the brother shark. The record book bearing the evidence of our pioneer's membership and rights under club law very

conveniently disappeared, and was not to be found, and after a one-sided investigation, the club decided that the pioneer was not a member of the club and had no rights which the club were bound to respect, and that he must deed 160 acres of the land to the speculator. He had first paid a heavy price to the speculator for it as a claim, then paid the full price to the government and held the land office duplicate for the money, and now must yield it to the speculator. It was fully proved in the club trial that the speculator held like claims on over 1,000 acres, while no club law authorized over 320 acres, and that was double the amount allowed by U. S. law. But this produced no effect; the judgment had been decided upon before the trial took place, and now the deed must be made or the offender would be "put over the river."

A council was held by the real pioneers, and it was decided to submit to no further outrage of this character. They were well armed; they saw that their homes, families, and even lives, were at stake, and furthermore they were of the class who do not scare easily. The clubs, that is, the speculator portion, aided by such others as they could control, as they advanced to put their judgment in execution learned that they were to be received at the muzzles of rifles and revolvers, and that some thirty shots were ready to greet them from under a good cover. Further, our speculator friends well knew that the small band thus entrenched and armed were the very men to offer very decisive arguments in defense of not only their rights but their lives. This information and the situation had a very soothing effect upon the speculator and his allies; they concluded it was not a good time to try on the "over the river" movement. But the judgment of the club—as inflexible as the laws of the Medes and Persians—what could be done with the judgment? An adviser, long since gone to his last rest, suggested further search for the lost record book, which *might* develop grounds for the removal of the judgment. This kind of a crowd, generally much more ready to creep out of some back door than stand up and make a fair fight, readily seized upon the suggestion. The record was as conveniently found as it had been previously lost, and lo! all was found right and plain; the pioneer was after all a member, his claims were all right, and the judgment was reversed.

But the speculator, mortified and disgusted by the failure of his scheme, resolved to try it on again, but in a shape less perilous to his

own person. He appealed to the land office, and tried to break the entry of the lands. But there, although he succeeded in causing the pioneer an expense of some hundreds of dollars in defending his rights, he again met with a signal defeat, and soon after in great disgust left the settlement; and the grief at his departure was not great, even with the wife and children then and there deserted.

The general features of this case are the same as those of very many, only that with less or no means they could not defend and maintain their rights, where money was required, and to procure necessities of life and buildings was more difficult. Unable perhaps to procure any material for building, they resorted to the "dug-out" till they could raise the means of living above ground. The "dug-out" is a room excavated generally in the side of a hill, a couple of rails or posts make a door frame, and a wall of square cut prairie turf forms the front and fills up the angles between the front wall and the side hill. A roof, sloping back on to the hill, of rails or poles covered by a thick layer of prairie grass and then with earth, makes a not uncomfortable shelter for summer or winter. But they are not particularly nice or clean, especially in long or heavy rain storms.

A prominent feature in our pioneer life from 1854 to '59 '60 was the Indians.

In early days the Indians were in the habit of roaming through the settlements, from the single individual up to fifteen or twenty in number. I have no knowledge of their ever attempting any personal injury to any settler in our county. Still, with the record of their horrible and savage deeds in most all of the early settlements of our country, handed down and too vividly remembered, they were a source of great terror to women and children, as also to husbands and fathers, lest they should attack the family in his absence; and, possibly, many of them were not so totally devoid of personal fear; but then it would never do to own this.

The Indians very much preferred the absence of the men in their visits to the settlers' houses, as they found that the women when unprotected by the men were much more ready to yield to their ever unsatisfied and unlimited demand for food. In a settlement, however large, they would enter every house they could get into, and eat all they could get, repeating this operation from house to house. If they found a door unfastened they walked in, asking no leave, and then it

was "eat," "eat," "eat," or if they could command a little more English, "Me heap hungry." If they were seen in their approach, and the door fastened, they would seek a window through which the family inside could be seen, flatten their noses and faces up against the glass, and there, with the patience only of an Indian, often stand for hours watching the proceedings of the family, till the poor woman, frightened almost to death, would unfasten the door and feed them in order to get rid of them.

The Indians cannot well be dismissed without a brief reference to our Indian scares, which were generally the result only of panic founded on the morbid fears and imagination, fostered for a century or more by the barbarities of these cumberers of the ground. The several scenes connected with them made an impression too deep on the memories of the people to be soon forgotten, but the particular dates are much mixed up. As these, however, are not very essential I give some of them as near their time and order as I am able to trace them.

The Whitmore scare occurred late in the summer or fall of 1856. A Mr. Whitmore had built a cabin in the vicinity of the Salt Basin, in Lancaster county, and settled there with wife and children. Mr. Whitmore left for the river on business, and was soon followed by his wife and children in the night, dragged and wearied almost to death by a foot race to escape from the Indians. She made a fearful report of the atrocities and fearful deeds of the savages, in the abuse of herself, destruction of furniture, ripping open feather beds, scattering the feathers in the wind, etc., etc. Her talespread on all sides as she advanced toward the river, supplemented and enlarged by all kinds of variations that fear and imagination could supply; and as it reached the river settlements it was indeed a fearful one. The number of Indians had increased to hundreds and thousands, and not a house was left unburned or a scalp on its original owner's head. Companies were formed in hot haste at Plattsmouth, Rock Bluffs, and Nebraska City, and they hastened towards the scene of devastation. Advance scouts, sent out to reconnoiter, met the companies and reported the whole thing to be a *scare*! It is still a matter of dispute whether any damage at all was done by the Indians. We have very positive evidence on one side, that the first parties on the ground found Whitmore's house and goods all safe and unharmed; and that the scare all originated in the usual visit of the Indians for food, but that Mrs. Whitmore, terribly frightened, ran for her life.

On the other side, we have just as positive testimony that furniture was found broken up, beds ripped open, feathers scattered, etc., but no one testifies to personal injury.

A sequel to this scare, or a transaction following it, was the collision of a small company of settlers in the following February, with about the same number of Indians, between Eight Mile Grove and Mt. Pleasant, in which the whites attacked the Indians, with no other excuse that I can hear of than that these Indians *might* have been connected with the previous scare. The whites fired upon the Indians and broke one Indian's arm, took two or three prisoners and some twelve or fifteen ponies. The prisoners were brought to Plattsmouth and the ponies were put where they would perhaps do the most good; or where they would be safe from observation.

These raiders were soon followed by a company of some one hundred Indians and three chiefs. They took great care, in passing by houses or settlements, to keep the band from offering any injury or wrong, and on arriving in Plattsmouth demanded their men and ponies. After getting an interpreter down from Bellevue and having a "talk," they were allowed to take the prisoners, and hunt up and take their ponies if they could find them. They camped down in the bend just above Rocky Point for several days, and succeeded in recovering nearly if not all of their ponies, and then quietly returned.

I have no great affection for an Indian, but I cannot but think that in this case somebody ought to have suffered some, and that body not an Indian either.

During the latter part of the war, in '63 and '64, reports were current that the rebels were tampering with the Indians, and exciting them to attack our settlements. These reports caused much anxiety and uneasiness, especially in the more exposed neighborhoods; and almost every settlement had formed regular organizations for drill, defense, rendezvous, etc.

In the fall of '64, word swept through the county with more than the speed of Sir Walter Scott's "Cross of Fire," that the Indians were on Salt creek in large force, perpetrating their usual atrocities, and sweeping down towards the Missouri, with the purpose of exterminating the white settlements. The writer, whom please consider your "war correspondent" for the hour, hastened to the rendezvous at Louisville, where some forty-five men were soon gathered, all

armed and equipped for war. But for the presence of some upstarts who called themselves "veterans" from service in the civil war, then near its close, your correspondent might have obtained some befitting office in this movement (a sutlership at least).

Crowds of fugitives were rushing past, some with some household goods, others with none, some with proper clothing and others quite the reverse. But all with an eye over their shoulder, while lashing and punching up the team; urged to stop and help in the coming fight, "No!" "No!" they must take care of the women and children. Well, where were the Indians? "Close behind"—"just in sight!" came from them in the distance as the furious whips played upon the teams.

With teeth set, muscles strained to almost cracking tension, and indomitable resolution, we waited the onset—till—we—were tired. We then sent out a scout of ten men to ascertain where the bloody rascals really were; and then we "rested on our arms" and—waited still.

After some eight hours of this lively kind of life (which, as we had counted time, had stretched over as many days), our scouts returned bringing in ten scalps—on their own heads, and that was *all*. No Indians had been seen—no houses rifled or burned—no lives lost and nobody hurt.

The whole scare originated with an Irishman at old Mr. Barnhill's ranch, a little above Ashland. He had been left alone at the ranche and a couple of Indians came along and wanted whiskey. He sold to them till they raised a war dance, when the Irishman incontinently fled and yelled: "Indians!" "Indians!"

Meanwhile, while the yell was ringing and echoing over the whole of Cass county, the Indians had got over their "drunk" and gone quietly on their way.

The legislature of '55 and '56, as before said, repealed the law giving to the probate judge such extensive jurisdiction, and provided for a board of county commissioners to transact the county business. At the general election of November 4, 1856, J. Vallery, Jr., R. Palmer, and W. D. Gage were elected as our first board of county commissioners. They have been succeeded as follows:

1857—Wm. Young, R. R. Davis.	1867—Jas. O'Neil.
1858—Geo. Mayfield.	1868—J. B. Moore.
1859—John Mutz.	1869—Benj. Albin.
1860—L. G. Todd.	1870—J. Vallery, Jr.
1861—J. Vallery, Jr.	1871—L. H. James.
1862—Wm. L. Thompson.	1872—T. Clark.
1863—Isaac Pollard.	1873—M. L. White.
1864—M. L. White.	1874—W. B. Arnold.
1865—D. Cole.	1875—B. S. Ramsey.
1866—A. Carmichael.	1876—E. G. Dovey (to fill vac'y).

Our county clerks have been as follows, each election being for two years:

1857—J. N. Wise.	1869—Isaac Pollard.
1859—D. H. Wheeler.	1871-'73—D. W. McKinnon.
1861-'63-'65-'67—B. Spurlock.	1875—C. P. Moore.

Our sheriffs, also elected for two years:

1855—A. C. Towner (appointed).	1863—P. P. Gass.
1855—W. R. Ellington.	1865—A. B. Taylor.
1857—W. D. McCord.	1867-'69-'71—J. W. Johnson.
1859—W. D. McCord.	1873—M. B. Cutler.
1861—C. H. King.	1875—M. B. Cutler.

Our treasurers, also elected for two years:

1855—Bela White.	1861-'63-'65-'67—S. Duke.
1856—Weleher Cardwell.	1869-'71—W. L. Hobbs.
1857-'59—J. D. Simpson.	1873-'75—J. C. Cummins.

The population, by enumeration at different periods, shows as follows:

September, 1855—712.	1870—8,151.
1856—1,251.	1874—10,397.
1860—3,369.	1876—10,885.

The valuation of property as assessed for taxation has been as follows:

1857	\$1,062,962	1868	\$1,896,432
1859	1,096,074	1869	2,136,835
1860	975,456	1870	3,099,856
1861	1,013,570	1871	3,704,874
1862	828,019	1872	4,016,950
1863	3,737,184	1873	3,767,472
1864	1,137,486	1874	4,219,969
1865	1,746,829	1875	3,593,017
1866	1,592,678	1876	2,891,242
1867	1,729,052		

The items of the assessment for 1874, the latest itemized list obtainable, are as follows, showing 313,331 acres at an average value of \$7.96 per acre :

Land	\$2,492,600	Wagons, carr'ges (1601) ..	\$ 61,668
Town lots.....	313,872	Money and credits.....	85,655
Merchandise.....	104,394	Mortgages	27,023
Manufactures	39,300	Stocks.....	51,170
Horses (5,962)	309,943	Furniture	20,957
Mules and asses (438) ..	62,873	Libraries	1,680
Neat cattle (15,598)...	206,586	Other property.....	94,742
Sheep (659).....	1,223	Railroads.....	343,897
Swine (25,202).....	31,438	Telegraph lines.....	950

The foregoing list does not embrace ordinary house furniture, libraries under \$100, tools of mechanics and artisans, but a small share of the agricultural implements on the farm, or the stores of the produce of the farm still on hand ; and when it is considered that property is rarely assessed for taxation at more than sixty or seventy-five per cent of its real value, we may safely add twenty-five per cent to the foregoing value, which would increase it to over five and one-half millions. In the valuations of the property of Cass county it will be noticed that there are great fluctuations. Probably much of this is owing to the various modes of assessment by the different assessors, ranging all the way from one-half up to the supposed cash value. But this, even wide as the margin is, will not account for the showing of 1862-'63-'64. From 1862 to 1863 it is more than quadrupled, or increases about four and one-half times, and then in the following

year, 1864, falls off to less than one-third of 1863. One reason for this extraordinary increase of 1863 is that the assessors in the spring of 1863 caught large amounts of property with the crowds coming into the county to escape the draft into the army; and then, as a large portion of this property remained in the county only long enough to be assessed, and then passed on westward, it would in like manner diminish the values of the next year. This movement unquestionably produced considerable change in values, but that it alone worked such changes is hardly credible. The number of acres (313,331) assessed in 1874 shows nearly 30,000 unentered, or if entered, not yet liable to assessment, as the county embraces about 339,200 acres. I find no data of the number of acres under cultivation since the U. S. census of 1870, which gives the number as 55,520.

So far as can be ascertained, the first marriage in the county was that of Elza Martin to Sarah Morris, on November 16, 1854, by Abram Towner, and recorded by Joseph Lousignont, register of deeds, the first appointment to that office by Governor Cuming.

The second marriage that appears on record was Thomas Hammond to Permelia A. Walker, on May 20, 1855, by L. G. Todd, J. P.; and the third, J. McF. Haygood to Mary E. Brown, August 28, 1855, by W. D. Gage.

The first white child born in this county was Nebraska Stevens, son of Wm. Stevens, in December, 1854, or January, 1855.

The second, Levina Todd, daughter of L. G. Todd, in February of 1855, now the wife of Thomas J. Thomas.

[It is stated that Samuel Martin and A. J. Todd had each a child born previous to the above. Such may be the case, but I can obtain no reliable evidence of the dates of their births.]

From the meager statistics to be found on the subject of agriculture in our county, it seems hardly worth the while to name the subject. That Cass county is one of the best, if not the best agricultural county in the state, is by all conversant with the subject admitted; but the statistics to prove this fact are wanting. The early pioneers seem to have taken a deeper interest in the matter of associations and fairs than the citizens of later days. Under an act of incorporation by the legislature of the territory, an association was organized August 30, 1856, with H. C. Wolph, president; Wm. H. Davis, secretary; Timothy Gas-kill, treasurer; and a membership of fifty-seven names, each of whom,

under the requirements of the by-laws, paid their membership fee of \$1. A very interesting fair was held at Rock Bluffs in September, 1856, and again in 1857, with a membership of fifty-two. After this, notwithstanding the earnest efforts and labors of several individuals, the society languished and died. It has been revived in later days, but it is only by persistent and continuous effort of a few individuals that it yet lives. The mass of the people seem to feel but little interest in the matter.

The production of the county is large, yet at a most unprofitable cost. Land in new counties is plenty and cheap, and, especially in prairie counties, easily opened; and an immediate return to the pioneer for his investment in land is not only desirable, but often seems necessary, and the great temptation is to bleed the land to extreme weakness, if not to absolute death—that is, to open as large an area as he can scratch over, and take what he can get from the land and make no return to it.

The soil is rich, and even the subsoil full of the elements of vegetation; still there is a limit to the best soil, beyond which this kind of farming becomes a dead loss. The returns will not pay for seed and labor, and farm and money invested in it are sunk. The old Virginia farms, long since abandoned as worthless, as also to-day the seemingly inexhaustible valleys of the Miamis and Scioto, of Ohio, prove this position but too plainly; nor is it necessary to leave our own county for this proof, as of the farms here for only twenty years in cultivation under this system, but few, if any, produce now more than forty to sixty per cent of their first crops.

The records of our schools are probably as deficient and mutilated as the records of other departments of our history, and what remain have been carried away from the county seat, and are thus, without time and labor which could not be spared, inaccessible for the purposes of this sketch. Application for information by letter to the present county superintendent of schools, procured a—promise, nothing more. But were these records accessible and entire, they would not be likely to serve much purpose here.

The rise and progress of school systems, from pioneer efforts in widely scattered settlements, composed of residents also widely scattered and usually of limited means, present much the same features throughout the whole country. The parent is anxious that his chil-

dren should be educated, but they *must* be fed and clothed; hence the school must wait for a time. A record would be interesting and valuable, as it might perpetuate the memory of those who have more earnestly and vigorously labored and developed our present system. The means and progress are little other than a repetition of what has occurred in other places again and again.

Under the circumstances I do not see that I can do better than reproduce a tabulated report, made by Prof. U. W. Wise, late superintendent of our public schools for the county, and kindly furnished to me for this use. The report is as yet unpublished, having been prepared for the state superintendent at the close of the year 1875.

Figures are generally dry reading, but the reader who has but a slight interest in education will note much of hope and promise as well as much of actual possession in this report. It embraces a comparative showing of progress for four years. It is as follows:

	1872.	1873.	1874.	1875.
Number of school districts.....	75	79	79	81
“ “ school houses.....	49	60	70	84
“ “ school children.....	3315	3329	3555	3749
“ “ children attending school..	2056	2380	2706	2952
Per cent of children attending school..	62	71	76	78
Number of teachers employed.....	114	133	136	123
Aggregate number of days taught by all	7537	9006	9421	10349
Number of visits of superintendent....	42	117	96	128
“ of district officers.....	149	227	237	240
District tax to pay teachers.....	\$ 394 51	\$ 1221 20	\$ 2488 94	\$ 1957 56
“ “ to erect school houses.....	4735 25	27860 10	7124 23	11869 21
“ “ for other purposes	109 90	1110 25	2134 27	8246 12
Money paid for apparatus, etc.....	233 25	141 02	188 00	2160 90
Paid male teachers.....	6553 18	9519 00	8640 00	10433 96
Paid female teachers.....	4533 95	5303 27	6573 72	9307 06

Since writing the above I have received the following items from G. B. Crippen, county superintendent:

Number of school houses in Cass county, June, 1876: stone 2, brick 10, frame 67, total 79.

Number of school districts in Cass county, June, 1876, 83.

Number of school children, 4135.

Number of children attending school, 3342.

The first sermon preached in the county was in October, 1854, at the house of Thos. B. Ashley, by Abram Towner.

HORSE THIEVES AND LYNCH LAW.

I think no well-informed and dispassionate person will dispute the proposition that a "community will prosper in all their surroundings only as it *enacts* and *faithfully executes* good and wholesome laws."

Yet it is well-known that general laws cannot be made to fit with exact justice to special cases; as also, that through the agency of money and subtle lawyers a large proportion of our vilest criminals escape the just penalties of their villainous deeds, while many an innocent person is made to suffer cruel and grievous wrong, or is perhaps brought to a horrible and disgraceful death. This uncertainty in the administration of criminal law has induced many intelligent and otherwise law-abiding citizens to enter upon acts and deeds from which they shrink with aversion and horror, and which, under other circumstances, they would utterly refuse.

The peculiar circumstances attending the stealing of horses and the facilities for the escape of the thief, on the borders of new settlements, has indicated the class of horse thieves as one demanding sure and speedy extinction. From hasty action under this feeling probably many innocent men have suffered, while a much larger number, taken red-handed in the act, have speedily been put beyond the reach of further offence.

During several years preceding 1864 a number of citizens of Cass county suffered much loss and hardship from this class of villains. About the first of June of that year—1864 (some say 1863)—two horses were taken from Capt. Isaac Wiles and one from John Snyder, of this county. Pursuit was immediately made. A quarrel between the thieves about the division of the horses induced one of the three to betray the other two. The informer was secured, and on the information given the two were followed and found secreted in a loft at "Mullen's Ranch," on the divide south of South Bend. They were secured and the party returned with them to Eight Mile Grove. In the trial of the men which followed before the self-constituted court, there was not nor could be any denial of guilt. They were horse thieves taken in the very act. No possible mistake in their identity, design, or act. A plea was offered for the one who betrayed the other two. But it was considered that, as no repentance or better feeling had induced this action, but only revenge and malice toward his fellow criminals, it

gave no shadow of an excuse for sparing him, perhaps to repeat the offence before another day ; and without a dissenting voice, sentence was passed and followed by immediate execution. And death then and there closed the career of those three miserable men.

PRECINCTS.

Previous to 1874 the precincts of Cass county were arranged to accommodate the settlements, but in 1874 the county commissioners rearranged them, conforming their boundaries to those of the congressional townships of the county, except the fractional townships in range 14, which were included in the precincts of range 13, as per map.

Plattsmouth, the county seat of Cass county, will be found described in the "History of the City of Plattsmouth."

Rock Bluffs, on the Missouri river, in Rock Bluffs precinct, was settled and laid out about the same time as Plattsmouth, and was for a time a somewhat formidable rival to Plattsmouth, but it is now in a decline. With a population of 175 it has two trading houses, a mill, smith shop, and post office, Joseph Shera, P. M.

Kanosha and Liberty, on the Missouri, below Rock Bluffs, were towns in early days of considerable promise, Kanosha with some thirty houses, and Liberty with fifteen or twenty. They are now deserted.

Cleveland, still lower on the river, a town which *was to be* but *never was*.

Union, or Folden's Mills, hardly a village, but rather a compact settlement gathered about the Mills, on the lower Weeping Water, in Liberty precinct, has a population of about sixty, with a post office established.

Factoryville, also on the Weeping Water, a short distance above Union Mills, has a population of some twenty-five.

Weeping Water, at the Weeping Water Falls, in Weeping Water precinct, was settled in 1857. A mill and a few houses were built, after which, for several years, it had a struggle for existence, till 1869-'70 it was roused up and commenced a new life. It has now a population of some four hundred, six trading houses, a hotel, and livery stable, two well-built churches, a high school building, and three mills in the vicinity, and a post office.

Louisville, at the mouth of Mill or Thompson's creek, in Louisville precinct, was laid out in 1856, and one log cabin built, and thus slept until 1870, when, under control of Capt. J. T. A. Hoover and brother, and the B. & M. R. R. Co., it was re-surveyed and commenced life anew. It now has a population of some two hundred, four trading houses, a hotel, station house on the B. & M. R. R., a grain warehouse, lumber yard, and three smith shops, J. T. A. Hoover, postmaster.

South Bend, in South Bend precinct, also of early date, slept till the railroad revived it. It has now a grain warehouse and trading house, and a population of twenty-five or thirty.

Eight Mile Grove, a close settlement on the corners of the four precincts of Plattsmouth, Rock Bluffs, Eight Mile Grove, and Mt. Pleasant, has a population of about one hundred, two churches, a school house and a post office, C. H. King, postmaster.

Glendale, a traveling post office in Eight Mile Grove precinct, after four removals, expired in 1875.

Greenwood on the B. & M. R. R., in Salt Creek precinct, has a population of about fifty, three trading houses, two churches, a grain warehouse, a hotel, two smith shops, school house, and post office, H. H. Alden, postmaster.

HISTORY OF DODGE COUNTY.

BY DR. L. J. ABBOTT.

We meet to celebrate the one hundredth anniversary of our national birthday. To-day, we as a nation exhibit to the world a solution of the problem that not only in numbers, in wealth, in the advancement of commercial and agricultural prosperity, in our ability to protect ourselves from both foreign and domestic enemies, but also in age, in permanency, a government "of the people, for the people, and by the people" can endure. The history of the world for the past two thousand years has been marked with the successive rise and fall of republics. Greece and Rome, Venice and Genoa have, for short periods, assumed republican forms of government, but it is reserved for the United States of America to mark the epoch in modern history of a

republic enduring a century. To those fathers of the republic, to those grand men who, one hundred years ago this day, affixed their signatures to the immortal declaration which has just been read in your hearing, and who, in support of that declaration, "pledged their lives, their fortunes, and their sacred honor," do we owe this national prosperity, this perpetuity of free institutions. On this centennial day over forty millions of free people arise and call them blessed; their names have become household words, their memories are embalmed in the hearts of liberty-loving people, not only of our own, but of all lands. They laid the foundations of civil government for a free people broad and deep. They seemed to be endowed with almost prophetic wisdom, and of all the state papers of ancient or modern times, the Declaration of Independence of 1776, the Ordinance of 1787, and the Federal Constitution of 1789, all emanating from almost the same sources and receiving the assent and approval of the same statesmen and legislators, stand, after one hundred years of trial, as enduring monuments of political wisdom unsurpassed, unequaled, incomparable.

Until this morning our own Nebraska was the 37th and latest born of all the states. To-day another state, Colorado, is added to the Federal Union; both Nebraska and Colorado being portions of the territory purchased from France by President Jefferson, by treaty signed in the city of Paris, April, 1803—Robert R. Livingstone and James Monroe, commissioners on the part of the United States, and Barbe Marbois, commissioner on the part of Napoleon, first consul of France. This treaty, which comprised the largest purchase of territory ever acquired by any nation by strictly peaceable means, and the most important of all our national acquisitions, is the first landmark in our state history.

The passage by congress of the organic act, known as the Kansas and Nebraska bill, which provided for a territorial organization, approved by President Pierce, May 30, 1854, is the next great event of political interest to citizens of Nebraska.

Immediately after the passage of the Kansas and Nebraska bill the territory of Nebraska was organized with Francis W. Burt, of South Carolina, as governor, and T. B. Cuming, of Iowa, as secretary.

In accordance with the provisions of the organic act, T. B. Cuming, acting governor of Nebraska territory (Governor Francis Burt hav-

ing died on the morning of the 18th of October, 1854), did on Saturday, the 21st day of October, 1854, issue a proclamation for an enumeration of the inhabitants of this territory, which enumeration was to commence on the 24th of the same month.

On the 21st day of November, 1854, Acting Governor Cuming issued a proclamation for the first general election ever held in Nebraska, and for the purpose of this election he divided the territory into counties and gave names and boundaries to the same. To the county in which we live he gave the name of Dodge, in honor of Senator Augustus Caesar Dodge, of Iowa, who had been an active friend and supporter of the Kansas and Nebraska bill.

The first boundaries of Dodge county were as follows: Commencing at a point on the Platte river twenty miles west of Bellevue, thence westerly along the Platte river to the mouth of Shell creek, thence north twenty-five miles, thence east to the dividing ridge between the Elkhorn and Missouri rivers, and thence southerly to the place of beginning.

The territorial legislature, at its first session, in an act approved March 6, 1855, again redescribed the boundaries of Dodge county and in this act fixed the county seat at Fontenelle.

At the fifth session of the legislature, March 2, 1858, after the government survey, the eastern boundary was again redefined.

On the 22d of December, 1859, the territorial legislature changed the southern boundary of the county, fixing it where it still remains, upon the south bank of the Platte river.

At the seventh session, January, 1860, the eastern boundary was again changed and placed upon the Elkhorn river. This boundary left the county seat, Fontenelle, in Washington county, and Dodge county without a capital. In February, 1867, a portion of the territory lost by the act of 1860, known as Logan Creek, was re-annexed to Dodge. In March of the legislative session of 1873, some changes were made in the county boundaries, and in February, 1875, the legislature described the limits of the county as they exist to-day, containing about 345,600 acres.

Fremont, the capital of Dodge county, is located in 41 degrees 26 minutes north latitude, and 96 degrees 29 minutes west longitude; the main portion of the county lies north and west of this point.

The southern boundary of the county is the Platte river, the largest

stream in the state, named by Lewis and Clarke in 1804, on account of its width and shallowness; its general direction is from west to east; it falls at about six feet to the mile.

The Elkhorn river a tributary of the Platte is the second stream of importance in the county. It received its name many years ago, probably from Lewis and Clarke, at least from some of the early voyageurs. It runs through the entire county from north-west to south-east, a distance of thirty miles.

Rawhide creek received its name from the fact that during the California travel of 1849 a white man is said to have been flayed alive by the Pawnee Indians on its banks. It is a small, sluggish stream, of low banks, and runs from west to east through the entire county and empties into the Elkhorn river near the south-east corner of the county.

Maple creek rises in the southern portion of Stanton county and has a general direction from west to east through Dodge county and empties into the Elkhorn river at a point nearly opposite the old town of Fontenelle; it derived its name from the large maple grove originally growing near its mouth.

Pebble creek has the same general direction as the Maple. It rises in Cuming county and discharges its waters into the Elkhorn river near the flourishing village of Scribner. It was named Pebble from the unusual number of pebbles found in its waters at the ford, where the volunteer soldiers crossed it in the Pawnee war of 1859.

Cuming creek rises in Cuming county and flows in a southerly direction a distance of about five miles in Dodge county and adds its waters to the Elkhorn a little above the mouth of Pebble creek. This stream was named in 1855 in honor of T. B. Cuming, first secretary and acting governor of Nebraska.

Logan creek, the third stream in point of size in the county, rises in Cedar county and flows in a southerly direction and its waters are discharged into the Elkhorn about five miles above the mouth of Maple creek. It was named by Col. Wm. Kline, in 1854, in honor of Logan Fontenelle, a friendly Omaha chief.

Clark creek, the smallest of all the streams in Dodge county, rises in Burt county and flows in a southerly direction and joins the Elkhorn nearly two miles below the mouth of Logan. It was also named by Col. Kline, in honor of Dr. M. H. Clark, the first member of the territorial council from Dodge county.

Dodge county is beautifully diversified with valley and upland; about one-third of it being valley or bottom-land and the remaining two-thirds uplands. Fully eighty per cent of the entire area is suitable for cultivation, and the remaining twenty per cent is valuable for pasturage and timber culture.

The landscape is charming in its quiet beauty. The drainage is excellent, and the soil (highland and lowland) is rich, productive, and susceptible of easy tillage. In its general features, number of its never-failing streams and springs, and richness of its soil, Dodge county is equaled by few and surpassed by none in the state of Nebraska.

The first election held in Dodge county was on the 12th day of December, 1854, at Fontenelle, at which election Dr. M. H. Clark was chosen first member of the territorial council, and Judge J. W. Richardson and Col. E. R. Doyle were elected members of the house of representatives. Each of them was unanimously elected, having received all the votes cast to the number of eight.

The first territorial legislature convened at Omaha on the 16th of January, 1855, and whilst Messrs. Clark, Richardson, and Doyle were attending the legislature the town of Fontenelle and county of Dodge were deserted by their inhabitants; Col. Wm. Kline, then and now a highly respected citizen of Fontenelle, and a half-breed Indian named Joe, were the only constituents left to the honorable members of Dodge.

Col. Kline can truly be said to have had, at one time in his life, the largest representation according to population of any gentleman in Nebraska, if not in the United States.

During this first session Dr. Clark, on the 16th of February, 1855, made a most exhaustive report to the territorial legislature upon the subject of a Pacific railroad and the Platte valley route. Viewed in the light of twenty years it seems almost prophetic, and indicates largely what must have been the character of the man. From that report we extract the following:

"It leads to all those great mountain passes which are the gateways to Utah, California, Oregon, and Washington. It is the best route and the adopted road to all these states and territories, and it is believed by your committee, some of whom have been through these routes and for years intimate with those who traverse the mountains, that it is the Platte valley *alone* that affords all these western divisions any natural, easy, and common way which will commingle their travel with that of the eastern states."

In concluding this report he said:

"In view of the comparative cost, to the wonderful changes that will result, your committee cannot believe the period remote when this work will be accomplished, and with liberal encouragement to capital, which your committee are disposed to grant, it is their belief that before fifteen years have transpired, the route to India will be opened and the way across this continent will be the common way of the world."

The first territorial legislature ordered an enumeration of the inhabitants to be taken, commencing on the 11th of September, 1855, and upon the basis of those census returns the governor ordered a new apportionment. Under this apportionment Dodge was entitled to but one member of the lower house.

On the first Tuesday of November, 1855, Thomas Gibson was elected that member.

At the third election for members Silas E. Seeley secured forty-four votes and Thomas Gibson forty-one votes. Gibson contested Seeley's seat on the ground that Seeley had not resided long enough in the legislative district. The legislature vacated the seat held by Seeley on his certificate, but did not declare for Gibson, thus leaving Dodge unrepresented in the lower house the winter of 1857, and furnishing a precedent to the last republican state convention in the matter of the contestants from Douglas county.

Since the year 1858 the following gentlemen were the members of the territorial house of representatives from Dodge County:

J. M. Taggart, of Fontenelle, for the years 1857 and 1858; H. W. DePuy, Maple Creek, for the years 1858 and 1859; E. H. Rogers, of Fremont, for the years 1859 and 1860; M. S. Cotterell, North Bend, for the years 1860 and 1861; E. H. Barnard, Fremont, for the years 1861 and 1862; I. E. Heaton, Fremont, January, 1864; W. H. Ely, North Bend, January, 1865; J. G. Smith, Fremont, January, 1866; J. E. Dorsey, Maple Creek, January, 1867.

E. H. Rogers, of Fremont, was a member and president of the territorial council for the year 1867, and the last presiding officer of that body.

In February, 1867, the state legislature passed the enabling act required by congress, and in March following, Nebraska took her place among the states of the Union.

E. H. Rogers was the first state senator from this district and was the first president of that body.

After the state organization H. P. Beebe, of Fremont, was the first member of the house of representatives, 1867 and 1868.

E. H. Barnard, Fremont, 1869 and 1870; A. C. Briggs, Logan Creek, 1871 and 1872; Milton May, Everett, 1873 and 1874; John Seeley, Pebble Creek, 1875 and 1876.

Immediately after the passage of the act approved January 12, 1860, which divided the county of Dodge, another act to reorganize the county was passed and approved January 13, 1860, which provided for an election to be held on the first Monday of February, 1860. At this election Fremont was selected for the county seat; E. H. Barnard, probate judge; William S. Wilson, sheriff; H. C. Campbell, treasurer; J. F. Reynolds, county clerk; and George Turner, county commissioner, who with George Turton and Thomas Fitzsimmons constituted the first commissioners' court, after the re-organization of the county. The county at this time was divided into the three precincts of Fremont, North Bend, and Maple Creek.

FREMONT.

Having followed the history of the county up to the date of Fremont becoming the county seat, let us glance for a moment at her early history.

The site of the present city of Fremont was claimed by E. H. Barnard and John A. Kountz in the name of Barnard, Kountz & Co., August 23, 1856. They set their first claim stake on the swell of ground near the corner of D and First streets, then passing west on the California road about two miles they reached the cabin of Seth P. Marvin in time for dinner. This cabin was the first sign of civilized life thus far west of the Elkhorn river, and was the most easterly outpost of the McNeal and Beebe settlement, at that time three months old. Mr. Marvin's family consisted of a wife and two children, Glen and May; they had arrived at their new home about three weeks previous, from Marshalltown, Iowa. Mr. Marvin received and entertained the strangers hospitably; he was a good talker and had unbounded faith in the future of the great Platte valley as a whole, and in that precise locality in particular. It was largely if not chiefly due to his efforts that the town company was organized a few days later.

After making their claim Messrs. Barnard and Kountz went further up the valley and returned two days afterward to the house of Mr.

Marvin, where they learned that during their absence a party of four had made a claim which somewhat conflicted with theirs. At first these gentlemen thought they would give the matter no attention, but Mr. Marvin urged them to remain with him until the next day and meet the adverse claimants and arrange the matter satisfactorily to all. The advice was accepted and acted upon and that night the parties all met at the house of Marvin for the first time.

The party of four consisted of George M. Pinney, James G. Smith, Robert Kittle, and Robert Moreland, the latter a hack driver from Iowa City, and the others three passengers whom he had picked up at Des Moines.

Mr. Marvin proposed that the conflicting claimants throw up their respective claims and then proceed to form a new town company, taking him in as a member. The proposition was finally agreed to, and on the next morning, August 26, 1856, the new company was organized under the name of Pinney, Barnard & Co., who immediately proceeded to lay off a plot of ground one mile square for a town site. On the 3d of September the company adopted the name Fremont for their town, in honor of Gen. John C. Fremont, the great Western explorer, and then candidate of the republican party for president of the United States. The town company consisted of Seth P. Marvin, of Michigan; James G. Smith and John A. Kountz, of Pennsylvania; Robert Kittle and E. H. Barnard, of New York; and Robert Moreland, of Ireland; who elected the following officers:

James G. Smith, president; Robert Kittle, vice president; John A. Kountz, secretary; George M. Pinney, treasurer; E. H. Barnard, surveyor.

In the evening of August 26, 1856, the Platte Valley Claim Club was organized with Seth P. Marvin for president; J. W. Peck, vice president; E. H. Barnard, secretary; and George M. Pinney, recorder of claims. The Claim Club was an association of claimants upon the public lands; organized under the laws of the territory, for mutual protection in the holding of claims, and was vested with limited legislative powers. At that time the Platte valley west of range 9 had not been surveyed, so that the club law was the only law by which claims could be regulated, and the Claim Club was one of the necessary institutions of the times. Its committees sat in judgment on all matters of dispute arising out of conflicting claims, and had power to call upon

the band of regulators to enforce their decrees. All the members of the town company, except Mr. Pinney, either remained or soon returned, and by their united efforts, contributed to form the nucleus of the future city. Nor was this any easy task; houses had to be built; the soil cultivated; roads opened; bridges constructed; in fact every thing had to be done to foster the growth of their town in the midst of a wilderness fully three hundred miles away from the nearest railroad station. They had also to contend against rival settlements and opposition town site enterprises. Fortunately they comprehended the situation and worked to win.

The first step towards the making of a town was the resolution by the town company to donate house logs from their timber land and two town lots to any party that would erect a house of hewn logs, 16 x20 feet, one and one-half stories high, with sawed lumber floors and shingle roof.

The second step in the progress of Fremont, and, at this early date, its most important advance, was the passage of a resolution by the Claim Club allowing claimants to surrounding lands adjacent to the town site to build their houses upon the village lots and not upon their "claims," without the danger of their being jumped. This resolution encountered bitter opposition from the McNeal and Beebe settlement, who looked upon Fremont as a rival. At the time of the passage of this resolution both sides met in full force, and upon putting the question *viva voce*, the resolution was lost, two or three boys of about eighteen voting "no." The friends of the resolution demanded a call of the roll of members and the resolution passed by a majority of one. By this action of the club the one hundred dollars necessary to be spent upon a land claim could be expended in the "city;" house logs, could be obtained gratis of the town company, and two city lots donated near the center of the future great town. The interests of the town company and the new settler were made one, and every Fremonter became at once a missionary, whose chief duty it was to inform every immigrant of the superior advantages of the new city, always including social privileges and mutual protection against Indians.

The first shanty erected in our now beautiful city was upon the lot now owned and occupied by the Congregational Church, completed and used for the first time by its owners, Barnard and Kountz, on the

10th of September, 1856 ; Robert Kittle, James G. Smith, and William E. Lee, their boarders, and Leander Gerard, now banker at Columbus, cook. Until this rude cabin was built, Marvin's had been headquarters, although some had camped upon the town site. That cabin, insignificant as it was, broke the solitude of the wilderness. It was a station upon the Great American Desert, a hotel, boarding house, and wonder to the Pawnees, whose village, 1,500 strong, was upon the high bank of the Platte three miles south. The Pawnees justly claimed ownership in the country, for although the general government had made a treaty with the Omahas for this land and paid them for it, the Pawnees, who were joint owners with the Omahas, had received nothing. In October, 1856, the Pawnees notified the white settlers that they must leave within three days, or they would kill them and destroy their property. A council of the settlers was called, and a messenger, James G. Smith, dispatched to the governor for assistance.

Gov. Izard gave him a box of muskets, some ammunition, and reinforced the settlers with an army of eight men, which, added to the inhabitants of Fremont and surrounding country, made a total grand army of about twenty-five, who, by marching and counter-marching, by bonfires and torch light processions, and the burning of hay stacks, produced the impression upon the Pawnees that it was a vast army, and had the effect of overawing them, so that at the end of three days they sent a flag of truce and a messenger, saying that the chiefs had reconsidered the matter and concluded to let them go unmolested for the present.

During the winter of '56 and '57 the settlers were much annoyed by the Indians, who demanded pay for the timber that had been cut upon their lands, and made all sorts of threats to compel payment. The settlers pursued a pacific policy, promising that the Great Father at Washington would make it all right with them, and fortunately for their reputation for veracity the general government made a treaty early in 1857, whereby an annuity was settled upon them, and a reservation west of Fremont granted to them. To the credit of both Pawnee and Fremonters be it said that after the troubles of that fall and winter no citizen of this place was ever harmed by them, and when, in the summer of 1859, the Pawnees started on the war path against the whites of the Elkhorn valley, they made no hostile demon-

stration until several miles beyond Fremont, although the war party passed through the town on their way out.

The cabin of Messrs. Barnard and Kountz continued to be used as a boarding house and hotel, not less than fifteen sleeping in it at one time, until the memorable snow-storm, which begun at 11 o'clock A.M., Monday, December 1, 1856, and was the commencement of the longest continued cold weather and deepest snows ever known in the history of our state. Driven by the snow to better quarters, on Tuesday, December 2, they commenced moving. The "cook, with the grub," was carried by the wind into a hole, which he supposed to be a well, near by, but which proved to be the entrance to Judge Smith's dug-out, directly in line with the wind.

It is a mooted question as to who built the first permanent house in Fremont, that honor lying between Robert Kittle and William G. Bowman—a majority of the old settlers favoring the former. There was but a few days interval between the completion of each.

The Rev. Isaac E. Heaton's was the first family in the place, and he was the first clergyman. The first blacksmith was John C. Hormel, who was induced to remain by the offer of a town share (nine lots) and material for a shop. James G. Smith was the first merchant; John C. Flor the first regular hotel keeper, and S. B. Colson the first shoemaker. E. H. Rogers and William Cartney made the first brick, and E. H. Rogers was the first chairman of the town board that acquired the government title. The first male child born in Fremont was Fred Kittle, and the first female child Alice Flor, both still living. The first marriage took place August 25, 1858, between Luther Wilson and Eliza Turner. The first death occurred October 30, 1857, in the person of Nathan Heaton, father of Rev. I. E. Heaton.

The failure of the banks and the financial panic which followed, in 1857 and 1858, retarded the growth of all Western communities. Fremont suffered from this cause equally with other towns.

The discovery of gold on Cherry creek in 1858, and the immense emigration to Pike's Peak which followed, brought the first real commercial and agricultural prosperity Fremont ever received, and although the town did not increase fast in population, the channels of trade thus opened brought material wealth and lifted the founders of the town into positions of comparative pecuniary independence. It

was, however, reserved for the Union Pacific railroad, which reached Fremont January 24, 1866, to give it a substantial basis, and place it upon the great highway of present and prospective prosperity ; a prosperity which has continued as the years pass on, until now it is the second town in population, wealth, and beauty along that road of over one thousand miles.

Lightning, in the shape of the Western Union Telegraph Company, struck it in 1860, and five or six passengers looked at it daily for years out of the great overland coach ; but it is steam alone that makes modern towns ; without it they are nothing. Under its inspiring influences real estate began to rise, immigration started anew from all parts of the East, and the town of a few log houses was, as it were, built up in a night to a size and population astonishing when compared with the growth of Eastern towns.

On the 12th day of February, 1869, the Sioux City & Pacific railroad made junction with the Union Pacific at Fremont, and on December 31, 1869, the first ten miles of the Fremont, Elkhorn & Missouri Valley railroad were completed.

On the 24th day of July, 1868, Fremont's first paper, the *Fremont Tribune*, was issued by J. Newt. Hays, and on the 2d day of August, 1871, the *Weekly Herald* was established by Wm. T. Shaffer.

The total amount expended in buildings during the past eight years is about one million dollars. Our wholesale trade is more than any other town in the state north of the Platte, except Omaha. Her receipts and shipments of grain for 1875 exceeded six hundred thousand bushels, and that, too, in a year immediately following the plague of locusts. This year the amount will probably reach one million bushels.

Her banking resources are ample. Three well-organized fire companies are ready and able to furnish protection from the devouring element. Lodges of Masons, Odd Fellows, and of the Grand Army of the Republic are among her charitable institutions, and the Turners and other societies supply the essential organizations for social enjoyment. Seven churches and nine organized religious societies give opportunities to all to worship God in the manner and in the place where they may think best.

Her manufactories, although only in their infancy, exceed those of most other towns of her size. Flour, carriages, wagons, or grain

harvesters of our own manufacture, equal to the best, are furnished by our own citizens. Good public buildings, spacious school rooms, tasteful private residences, well-built and well-shaded walks, and this delightful public park afford to our citizens all that could be expected or desired in an inland country town.

OLD SETTLERS AND OTHER ITEMS.

Arthur Bloomer, now of Platte, formerly of Maple precinct, is the oldest settler, of continuous residence, in the present county of Dodge. There are others such as Mr. John Batie and John Cramer, of Maple, and Samuel Whittier, of Fremont, who came to Fontenelle previous to Mr. Bloomer coming into Dodge, but none who have lived so many years continuously in this county as he. John and Arthur Bloomer made their claims near the mouth of Maple creek early in April, 1856, and broke, in the first of May following, twenty-five acres of prairie.

The first settlers in Dodge, in the Platte valley, were Mrs. Wealthy Beebe and her minor children, and her son-in-law, Abram McNeal, and family, who located two miles west of Fremont, May 25, 1856.

The first children born in the present county were twin daughters to Mr. and Mrs. A. McNeal, on August 8, 1876; both are still living and reside in Oregon. The first settlement made west of Beebe's was by George Emerson, who also laid out a town, in 1857. The first settlement made at North Bend was on July 4, 1856, just twenty years ago, by a colony of ten adults and ten children—George Young and wife, Robert Miller and wife, John Miller and wife, Miss Eliza Miller, now Mrs. W. H. Ely, William and Alexander Miller, and George McNaughton.

The first election held in the present county, for county officers, was at North Bend, February, 1860.

The first steam mill in the county was at North Bend, brought from Cleveland, O., by M. S. Cotterell, John M. Smith, James Humphries, and Alexander Morrison in July, 1857.

Seth Young, son of George Young, was the first birth at that place, November 30, 1856; his mother died a few days after his birth, and was the first death at the Bend.

Out of a total population not exceeding four hundred, Dodge county furnished, during the Rebellion and for frontier protection, twenty-five volunteers, as large a per cent of troops to adult male population as any county in the United States.

Not over one hundred and sixty acres of land was broken in this county previous to and during the summer of 1856, and about one hundred persons, adults and children, resided in Dodge the unparalleled cold and severe winter of that year.

Harvey J. Robinson has been the original proprietor and builder of all the water power flouring mills ever erected in the county; one on Maple creek the summer of 1859, one on Logan creek in 1859, one on Logan creek in 1863, and one on Pebble in 1867 and 1868.

A literary society organized at Glencoe, November, 1872, has the largest membership of any in the county and is in a most flourishing condition.

RELIGIOUS.

The first sermon preached in the county was by Rev. I. E. Heaton, of the Congregational denomination, November 2, 1856. Text, Psalms cxi. 10: "The fear of the Lord is the beginning of wisdom." The next Sabbath, November 9, public worship was commenced in Fremont in the house of Robert Kittle. From that time public worship was regularly sustained in Fremont.

The second minister was Rev. Mr. Cooley, of the Campbellite Baptist denomination, who arrived and located near Timberville in February, 1857. The Congregational church in Fremont was organized, with Rev. I. E. Heaton as pastor and seven members, August 2, 1857. Mr. Heaton remained their pastor for twelve years. This church now numbers sixty-four members. In September, 1858, Rev. J. Adriaance organized Methodist Episcopal churches in Fremont and North Bend, the former with fifteen members and the latter with five.

The first church building in the county was fitted up by the Congregationalists, in Fremont, in 1861; they dedicated a second and larger one, August 2, 1868, and extended it in the spring of 1874. Until within a few days it contained the only bell in Fremont, weighing 1,118 pounds, which has been used for church, school, and public meetings, for fire alarms, and for all purposes of a general public nature. St. James Protestant Episcopal church, of Fremont, was organized August 27, 1866, the late Rev. O. C. Dake presiding, with seven members. The church building was erected the summer of 1867, and consecrated September 15, 1867, by Bishop Clarkson;

present number of communicants, forty; adult baptisms, twenty; infants, eighty-three; marriages, twenty-five; burials, forty-eight. The M. E. church building in Fremont was erected the summer of 1869, and dedicated in December of the same year.

Rev. Father Ryan, of Columbus, held Roman Catholic services in Fremont prior to the coming of Father John Lonergan, in 1868, who at that time organized their church with twenty families, or about one hundred persons. Their church building was erected and dedicated in 1869. Within Dodge county the present number of Roman Catholics is about fifteen hundred; the number of Catholic marriages in Fremont has been seventy-one; adult baptisms, twenty; infant baptisms, about two hundred. Father Lonergan still continues their priest.

The Baptist church in Fremont was organized by the late Rev. John McDonald, December 19, 1869, with nine members; their present membership is forty-six. Their church building was dedicated December 31, 1871.

The Evangelical German church in Fremont was organized by Rev. Mr. Yost, and their church building erected and dedicated in 1872.

The Presbyterian church in Fremont was organized by Rev. A. S. Foster, November 23, 1873, with ten members, and their church building was dedicated January 3, 1875; their present membership is thirty. Rev. Foster still continues their pastor.

The United Presbyterians organized two churches in the county early in its history; one at Fremont and the other at North Bend, and erected a church building in the latter place. At this date regular services are not maintained at either place.

The Universalists have had occasional services by different ministers for years past.

They have recently organized the Free Congregational church, with Rev. W. E. Copeland as their pastor and fifty-seven members.

The whole number of church buildings in the county at this time is fourteen: seven in Fremont, three in Logan, two in Webster, two at North Bend.

Religious organizations have been formed in all the precincts in the county, and religious services are held in school houses every Sabbath throughout its entire length and breadth.

The first funeral services held in the county were over the body of Mr. Stedman Hager, who lost his life in a fearful snow-storm Dec. 2, 1856, and was the first death in the county. His remains were not found until April following. Rev. Mr. Cooley conducted the services.

The first marriage in this county was in Fremont, Luther Wilson to Miss Eliza Turner, August 25, 1858. The first marriage at North Bend was John W. Waterman to Miss Elizabeth R. Graham, July 28, 1859.

Thirteen hundred scholars attend twenty-eight Sabbath schools, an average of forty-six to each school; one-half the number enrolled in the county between the ages of five and twenty-one. The Sabbath school libraries contain about 1,580 volumes and distribute annually 9,000 papers. The expenses of these schools for the past year have been \$590, or forty-five cents per scholar.

A private school taught by Miss Charity Colson in Fremont, the summer of 1858, was the first ever taught in the county. The first public school was taught in Fremont the summer of 1859, by Miss McNeal, of Elkhorn City; the same summer Miss Mary E. Heaton taught the first public school at North Bend. In 1861 there were the following school districts: Fremont, Timberville, North Bend, and Maple Creek, with one hundred and eight children between the ages of five and twenty-one, of which seventy were enrolled as attending school. One school building at North Bend valued at \$120; resources for schools that year, \$367.65; expenditures, \$330.

1868: school districts, sixteen; children, 559.

1875: school districts, thirty-one; children, 1,100; 415, or less than two-fifths of the whole, attended school. Total resources for the year, \$9,426; paid teachers, \$2,855.

For the year ending April 3, 1876, the number of school districts was sixty-two and two fractional districts; number enrolled between the ages of five and twenty-one, 2,625; number attending school, 1,910. Certified teachers in the county: ladies, fifty-one; gentlemen, thirty-one; average wages paid gentlemen, \$43.50 per month; ladies, \$35.81 per month.

There are sixty frame school houses and one brick, costing, with the furniture, \$50,000. Total receipts for public schools, \$28,225.84; total expenditures, \$27,700.74; average cost of tuition of each scholar at school for the past year, \$7.93.

The total valuation of all the property in Dodge county, real and personal, was, in 1855, \$14,455.00; 1856, \$20,794.50; 1867, \$1,292,-306.00; 1875, \$2,281,105.58; 1876, \$2,390,681.25.

Dodge county paid into the territorial treasury in 1861....\$	132.06
“ “ “ “ “ “ “ 1864...	283.64
“ “ “ “ state “ “ 1873...	9,805.00
“ “ “ “ “ “ “ 1875...	12,791.99
Number of cattle in Dodge county in 1866 was 1,380, 1876, 7,640	
“ “ horses “ “ “ “ “ “ 344; “	4,228

The first post office established in the county was in the summer of '57, with James G. Smith postmaster. Present number of post offices, twenty; seven of them receiving daily mail.

Two agricultural societies exist and have held fairs since 1872. The Centerville fair was organized first, and its priority of organization has entitled it to the state fund for such purposes.

The number of pounds of grain shipped from North Bend in 1870 was 572,000; in 1875, 5,389,000.

The grain trade of Hooper for 1875 was 225,000 bushels.

The grain trade of Scribner for 1875 was 165,000 bushels.

The population of Dodge county in 1860 was 309; in 1870, 4,212, of which 2,556 were born in the United States and 1,656 were foreign born. The population in April, 1876, was 8,332.

There are in this county at this date sixty-one and thirty-seven-one-hundredths miles of railroads and the same of telegraph lines.

There are 1,503 farmers, cultivating 112,700 acres of land, an average of seventy-five acres each.

Briefly and in a very imperfect manner I have traced portions of the history of our state, county, and city for the past twenty years. All around me are those who lived in the state when there were less than ten thousand persons in it, and in this county when its enumeration did not reach one hundred persons. My aged friend who sits upon this platform preached the first sermon ever delivered in this county; another here present drove the first stake in the survey of this beautiful city. The hands that erected the first buildings in our county and city, and that planted this beautiful grove, whose delightful shade so well protects you all, are yet among us, still strong and active.

“Homes for the homeless and lands for the landless,” was the motto

inscribed upon their household altars a score of years ago. Others of you came with the new life, energy, and development that accompanied the building of the Union Pacific railroad. The Sioux City & Pacific and Elkhorn Valley roads, and the influences which came with those great arteries of trade and commerce, induced others of you at a later date to make this your abiding spot. All of you have been participators and actors in this building up and unfolding of a new state and county. Yet much as you have done, rapid as has been your progress, a commencement in development, in population, in the adornment of homes, in material wealth, is but just begun.

HISTORY OF WASHINGTON COUNTY.

BY HON. PERRY SELDEN.

The county of Washington, in a historical point of view, assumes more importance than that of any other county in the state of Nebraska, and dates back to the administration of Mr. Jefferson, and the famous expedition of Lewis and Clarke, in A.D. 1804. Although there is an honest doubt existing as to the exact locality, yet it is generally accepted as a fact that the original "Council Bluffs" of Lewis and Clarke was at what is now known as Fort Calhoun.

Certain it is, that in the year 1824, during Mr. Monroe's administration, a military post was established there and named in honor of John C. Calhoun, who was at that time secretary of war.

Thirty years later, Fort Calhoun was re-occupied by actual settlers at an earlier period than any other portion of the county, and as early as the earliest in the state, then the unorganized territory of Nebraska.

On the 30th day of May, 1854, the "Organic Act" was passed by congress, opening for settlement the territories of Kansas and Nebraska, and providing a temporary government for each. In anticipation of this event, many had crossed the river from the border counties of Iowa and Missouri, and taken land claims, and an occasional actual settler had ventured to locate permanently in Nebraska.

In April, 1854, Anselm Arnold located upon, and permanently occupied, a land claim at Fort Calhoun, being joined soon after

by Geo. W. Nevelle and Dr. Wm. Moore, and by his family early in October following. This was the first settlement, and Mr. Arnold's the first family within the county, the second, a German family named Leiser, arriving at Fontenelle a few days later in the same month, viz., October 21, 1854.

Francis Burt, having been appointed the first governor of Nebraska, came from his home in South Carolina to enter upon the discharge of his duties as such, and was taken sick upon the way. He died soon after his arrival, at the old Mission House at Bellevue, on the 18th day of October, 1854.

By the death of Governor Burt, the secretary of the territory, Thos. B. Cuming, became acting governor.

The first official action of Gov. Cuming was a series of proclamations: One ordering a census of the territory upon which to base an apportionment; another fixing the time of holding the election and convening the legislature, and one dividing the territory into counties and fixing boundaries to the same.

By the terms of the proclamation last referred to, we find that said Washington county is bounded as follows: "Commencing at a point on the Missouri river one mile north of Omaha City, thence due west to the dividing ridge between the Elkhorn and the Missouri river; thence north-westwardly twenty miles to the Elkhorn river; thence eastwardly to a point on the Missouri river two miles above Fort Calhoun; thence southerly along said river to the place of beginning.

"There shall be one precinct or place of voting in said Washington county, viz., at the post office in Florence. Anselm Arnold, Charles Howe, and Wm. Bryant shall be judges of said election, and Henry Springer and William Moore clerks of said election."

The first election of the county of Washington was held at the time and place designated by the governor's proclamation, viz., at the (imaginary) post office at Florence, on the 12th day of December, 1854; at which time some 65 or 70 votes were polled, and although it has been strongly intimated by those that ought to know that there was not at that time to exceed ten or twelve voters (legal or otherwise) in the county, yet the fact of there being a legal election is established beyond a doubt. When the returns were "*all in*;" when those present had voted as many times as they thought *prudent*, and

when the vote was counted, it was found that James C. Mitchell was elected councilman, and Anselm Arnold and A. J. Smith were elected representatives.

About this time the first county officers were appointed by Gov. Cuming, and were as follows: Stephen Cass, probate judge; Thos. Allen, sheriff; Geo. W. Nevelle, clerk and recorder; and Geo. Martin, treasurer.

The first territorial legislature met at Omaha on the 8th day of January, 1855; and the principal work of the session was making a permanent organization for the several counties, defining the boundaries, and establishing county seats for the same.

On the 22d day of February, 1855, an act was passed declaring that a "county shall be organized to be called *Washington*, and shall be bounded as follows: Commencing at a point on the Missouri river, two miles north of Florence, or Winter Quarters, thence north, following the meanderings of said river to a point in a direct line, twenty-four miles from the place of beginning, thence west to the dividing ridge between the Elkhorn and Missouri rivers, or to the eastern boundary line of Dodge county; thence south along said line twenty-four miles, thence east to the place of beginning. The county seat of said county shall be and hereby is located at Fort Calhoun."

During the fall and winter some half dozen families were added to the settlement at Fort Calhoun, while early in the spring of 1855 there was a remarkable increase in activity and numbers.

The city was mapped and surveyed, and, although not incorporated until November 4, 1858, was at once prepared to assume all the dignity and importance of a county seat, not however without great danger of being distanced in the race by rival candidates for county honors.

DeSoto was founded in the fall of 1854 by P. C. Sullivan, Wm. Clancy, J. B. Robinson, and others; but no actual settlements took place until the following spring. It was incorporated by act of the legislature March 7, 1855.

A ferry being considered indispensable and essential to the success and future greatness of all river towns, an early effort was made to establish one at DeSoto. First, a charter was granted to E. P. Stout, in March, 1855, for a flat-boat ferry. Again in January, 1856, a charter was granted to Wm. Clancy and P. C. Sullivan to establish and run a steam ferry, and city bonds were voted to the amount of

\$30,000 to aid the enterprise, P. C. Sullivan being dispatched to the East for the purpose of disposing of the bonds and procuring a steam ferry boat. It is needless to add that this great financial scheme was a total failure, as DeSoto city bonds were not quite up to "par" among Eastern brokers. With this failure the steam ferry project was abandoned, together with the charter, and subsequently, in May, 1857, a flat-boat ferry was established by Isaac Parrish.

During the summer of 1855 a semi-weekly mail route was established from Omaha to Tekamah. P. C. Sullivan was appointed postmaster at DeSoto.

By act of the legislature, passed over the veto of Gov. Izard, in February, 1857, the Bank of DeSoto was incorporated. Also about the same time, under the general incorporation laws of the territory, the Corn Exchange Bank and the Waubeek Bank became incorporated. These three institutions, bearing the marks of the *animal* in all its feline rapacity, were in active operation for a number of years; and to assure ourselves that they were conducted strictly upon business principles, we need only be made aware of the fact that our present energetic fellow-citizen and genial banker, Mr. A. Castetter, was the presiding genius of the Waubeek Bank.

DeSoto has also an important literary record. Weekly newspapers succeeded each other very frequently, each in its turn adding to the speculative enthusiasm of the times, each shedding a halo of glory within its peculiar sphere for a few short months, or a year at the farthest, then promptly taking in its little sign and leisurely retiring from the gaze of an admiring public. Among the many weekly papers that have each in its time been the hope and pride of DeSoto may be mentioned the *DeSoto Bugle*, established in 1856 by Isaac Parrish; the *DeSoto Pilot*, established in 1857 by Merriek & Maguire; the *Washington County Sun*, established in 1858 by P. C. Sullivan; and the *DeSoto Enquirer*, established in 1858 by Z. Jackson.

About the 1st of July, 1856, the first saw mills in the county were put in operation. The first by Alonzo Perkins, the second by Powell & Cutts. Previous to this, however, a saw mill was in operation at Fontenelle.

At the fall election of 1855, two of DeSoto's prominent citizens, P. C. Sullivan, who became speaker of the house, and J. B. Robinson, were elected representatives, while J. C. Mitchell, the councilman elected in 1854, held over for two years.

DeSoto continued a live and prosperous city for many years; in fact until the advent of railroads, when it was forced to accept the situation and yield to the influence of that great civilizer.

By act of the legislature, the county seat was removed from Fort Calhoun to DeSoto in November, 1858, where it remained a period of eight years.

During the season of 1854 a colonization company was formed at Quincy, Illinois, and eight of its members sent out on a prospecting tour. This company traveled in their own wagons coming out, and cooked their own provisions. At Council Bluffs they were joined by Dr. M. H. Clark and William Kline. Crossing the Missouri river at Omaha, they there met Logan Fontenelle, the chief of the Omaha Indians, and were by him conducted to the present site of the town of that name. They were so well pleased with the location that they at once decided to look no further, and immediately made a purchase for one hundred dollars of a right to claim and locate a tract of land twenty miles square, and the place was named Fontenelle, in honor of the chief from whom the purchase was made.

The party then returned to Quincy and made a report to their friends, which was favorably received, and immediately Mr. J. W. Richardson was outfitted and sent forward by the company to take actual possession, and prepare for the reception of the entire colony in the early spring of 1855.

On the 20th of September settlement was commenced at Fontenelle by Dr. M. H. Clark, William Kline, Russel McNeely, Christian Leiser, William Taylor, William Keep, and a German called "Fred." Mr. Richardson, as agent for the Quincy company, after being joined in Omaha by Col. Doyle, the territorial U. S. marshal, and others, among whom was the family of Christian Leiser, arrived at Fontenelle on the 21st day of October.

Late in October and early in November a census of the so-called "Western district," extending from Bell creek to Fort Kearney, was taken by Deputy U. S. Marshals William Kline and William Taylor, and at the election on the 12th day of December at Fontenelle, Dr. M. H. Clark was elected councilman, and J. W. Richardson and Col. E. R. Doyle were elected representatives for Dodge county. Fontenelle had been previously designated by Gov. Cuming as the only voting place in Dodge county, and by act of the legislature of March 6, 1855, it became the county seat.

Fontenelle at this time was not only a "city of magnificent distances," but also one of "great expectations," for although it consisted of nothing more than a few rudely constructed cabins, and a dozen or fifteen inhabitants, yet the most brilliant hopes were entertained by its founders. Having secured the county seat, a vigorous and determined effort was made to secure also the location of the territorial capital at that place. In this interest two of the most distinguished members of the company at Quincy were sent out to assist the Dodge county members as lobbyists. The most sanguine hopes were entertained by those who supported the measure, and its failure produced a feeling of disappointment and chagrin among those interested in the town, both at Fontenelle and at Quincy. During the winter the party sent out to lobby for the Fontenelle capital scheme made a visit to that place, and on the night of their arrival their team of mules was stolen by a party of Sioux Indians. Mr. William Kline took the trail in pursuit, overtook the Indians near the mouth of Big Sioux river, and by stratagem succeeded in recovering the mules. Consternation and fear had so completely mastered the distinguished "members" from Quincy, that upon recovering their mules they departed for Omaha instantler, not daring to pass another night on such dangerous ground.

Fontenelle was incorporated and became a city, by act of the legislature, March 14, 1855. The Quincy Colonization Company was incorporated during the month of March, and on the 28th of February the Nebraska University was incorporated and located at Fontenelle, by act of the legislature.

NAVIGATING THE PLATTE AND ELKHORN RIVERS.

The erroneous idea prevailed among the founders of Fontenelle that the Platte and Elkhorn rivers could be used for purposes of navigation, and that a water communication could be established between Plattsmouth and Fontenelle. With this object in view, the company at Quincy secured a small steamer of the ferry-boat style, and while the remainder of the party started overland with wagons, a portion of them with their families embarked at Quincy on the steamer "Mary Cole," bound for Fontenelle. The trip was made safely until near the mouth of the Platte river, where she was snagged and completely wrecked. The lives of the passengers were saved with diffi-

culty, but the cargo was almost entirely lost. This was a great misfortune to the colonists, as their finances were very limited, and the boat's cargo consisted of their entire stock of provisions, with the tools and implements necessary in all new settlements. Nothing daunted, however, they picked up the fragments of their little fortune and pushed on, arriving at Fontenelle on the 10th of May, and on the 15th occurred the division of shares and the drawing of town lots.

The early summer of 1855 was spent by the colonists in erecting cabins for the protection of their families and in preparing the virgin soil for future tillage. The prospects were very flattering at this time. Peace, prosperity, and comparative plenty reigned, and all were buoyant with hopes for the future. Their star of destiny seemed fairly to be in the ascendant, when there occurred an incident which not only cast a cloud of sorrow over the entire settlement, but nearly proved fatal to the interests of the town.

CATFISH WAR.

On the 4th day of July, two members of the colony, Porter and Demoree, while at work breaking prairie one mile east of Fontenelle, were shot and killed by a party of Sioux Indians, who, after scalping their victims, beat a hasty retreat, and were pursued a considerable distance by volunteer citizens. A general consternation and panic seized upon the citizens of the town. They had no fortress or other means of defense, and knew not in what moment the savages might appear in force. At this critical juncture some members of the colony deserted their associates, and panic stricken returned to their old homes at Quincy, while the others bravely stood their ground, determined to sacrifice their lives rather than abandon their new homes. Messengers were dispatched to Omaha, where a volunteer company of cavalry was raised, and under command of Captain William Moore started immediately for the scene of trouble.

Arriving at Fontenelle, Captain Moore established a military headquarters there, and in conjunction with a volunteer company raised at Fontenelle, commanded by Capt. William Kline, proceeded to carry on a vigorous campaign against the Indians. This consisted in placing the city under martial law; patrolling and scouting the country round about; hunting and fishing. Wild game was at that time comparatively plenty, and from the fact that so much of the active service of

those volunteers consisted in fishing from the Elkhorn river, this period has been facetiously termed the "Catfish war."

In September the army disbanded, the Omaha boys returning to Omaha, while the Fontenelle people turned their attention from the exciting influences of active (imaginary) warfare to the more congenial occupations of preparing for winter, and other peaceful industries. No Indians were seen during the entire campaign, and it is more than probable that none were in the country during the whole summer, excepting the party that killed Porter and Demoree.

During the season a semi-weekly mail route was established from Omaha to Fontenelle, and J. W. Richardson appointed postmaster.

In 1856 a suitable building was erected for an academy, as preliminary to the University of Nebraska, and a school opened, under the auspices of the Congregational society, with Professor Burt as principal.

A very little wheat was raised—more as an experiment than otherwise, and with gratifying results.

DODGE COUNTY SEAT REMOVED.

Fontenelle continued to be the county seat of Dodge county until the 12th day of January, 1860, when, by an act of the legislature, entitled "An act to redefine the western boundary of Washington county," the Elkhorn river was made the line between Washington and Dodge counties; and thereby Fontenelle became a portion of Washington county. By this act Dodge county was left without a county seat, and, except two commissioners, without county officers. This necessitated another act of the legislature to "re-organize Dodge county," passed January 13, providing for a special election of county officers and for the selection of a county seat by ballot, at the same time. This important change proved the death blow to the future prospects of Fontenelle as a city. Yet, although the sceptre has departed from her, her citizens have lost none of that energy and determination which characterized their early struggles. Many who in those dark days faced adversity unflinchingly are now reaping their just reward of merit, being in one of the most populous and wealthy portions of the state, surrounded by, and themselves enjoying, all the comforts and many of the luxuries of modern civilization.

Cuming City, one of the ancient and not very well preserved cities of Washington county, was *discovered* and "claimed" by P. G. Cooper

and two others, in September, 1854. No settlement was made, however, until the spring of 1855, when actual settlers early made their appearance in sufficient numbers to justify the project of a city. Accordingly a "site" was located, mapped, surveyed, and named in honor of the acting governor, T. B. Cuming. It is claimed that the election for Burt county, in September, 1854, was held near Cuming City, on South creek; while others again claim for that honor a position in the willows on the bank of the Missouri river, near De Soto. The latter is, no doubt, the most valid claim, as the parties to that election came up from Omaha on the day of voting, and were not likely, under the circumstances, to go farther than across the county (imaginary) line, which was at that time between De Soto and Fort Calhoun. Be this as it may, certain it is that the regular election at Cuming City, in November, 1855, was held under a cottonwood tree, near the present bridge on South creek.

Flattered and encouraged with the patronage of territorial officials, Cuming City soon became a place of importance and great future prospects. The inevitable ferry charter was granted to P. G. Cooper in January, 1856, by the legislature, and the same month "Washington College" was incorporated and located at Cuming City, and the same act appointed a board of trustees consisting of the following distinguished persons, viz.: B. R. Folsom, James Mitchell, T. B. Cuming, Mark W. Izard, P. G. Cooper, William B. Hail, John C. Campbell, and J. B. Radford.

In 1856 *The Nebraska Pioneer*, a weekly newspaper, was started, under the editorial management of a man named Dimmick. At the election in November, 1856, one of the representative men of Cuming City and an early settler, James S. Stewart, was chosen as a representative, together with E. P. Stout and William Connor, while William Clancy was elected councilman.

In 1857 there were in Cuming City fifty-three dwelling houses, three stores, three hotels, besides several boarding houses and a number of saloons; and at the election this year Cuming City was again honored by the selection of two of its prominent citizens as representatives: Mr. James S. Stewart was re-elected, with P. G. Cooper, of Cuming City, and Alonzo Perkins, of De Soto, as colleagues.

In 1858 came into existence and flourished for a while the *Cuming City Star*, a weekly newspaper conducted by L. M. Kline. In No-

vember, 1858, by act of the legislature, the "Cuming City Ferry Company" was incorporated, and by the same act the former charter granted to P. G. Cooper was revoked. This ferry company consisted of P. G. Cooper, L. M. Kline, George A. Brigham, and others.

The importance of Cuming City at this period is again apparent in the fact that at the election in November, 1858, two of her citizens were again elected representatives, viz.: P. G. Cooper and L. M. Kline, with Charles D. Davis as colleague, and George E. Scott, councilman.

The first general fourth of July celebration in Washington county occurred at the grove on North creek, near Cuming City, in 1860. Almost the entire population of the county was in attendance. Hon. J. S. Bowen was the orator of the day. A band from Tekamah was in attendance, and altogether the affair was a grand success without precedent or parallel in the history of the county. Cuming City at this time appears to have been more powerful and populous than at any more recent date. Although it continued a place of some importance, yet the zenith of its glory had been reached and for the ensuing nine or ten years there was no perceptible change.

The early history of the county is a history of suffering, privation, and mishap, of which we at the present day, saving those who were actual participants, have little or no realizing sense, and in detail would fill volumes with incidents of suffering and adventure by those hardy pioneers, who, braving every peril, sacrificing at once the comforts of home and the society of friends in other states, following to the westward that never-setting "star,"—came to found an "empire" *here*.

Energy and determination, coupled with extreme powers of endurance, physically, have ever been developed by the pioneer in all new countries, but probably in no instance have these qualities been developed to a greater extent, and rarely indeed has there been an occasion when they were more required than by those who first proclaimed the civilizing influences of the nineteenth century, and unfurled the banner of freedom in Washington county.

CENSUS OF 1855 AND 1856.

The official census of the territory, taken in October, 1855, gives the population of Washington county as 207. The next census, taken in August, 1856, shows a very healthy growth. From 207 the county

had increased, in ten months, to 751; and until the financial crash of 1857 the ratio of increase was equal to, if not greater, than that shown by the census of 1856.

During the years 1855, 1856, and 1857, the prospects were very flattering. Money was plenty and almost without value. Speculation during those years was rife, and reached its greatest altitude. Ordinary industries were almost wholly neglected. Most of the inhabitants yielded to the surrounding influences and were seized with the speculative mania of the times. Land claims and corner lots were the best stock in trade and changed hands often, for a cash consideration, at enormous prices. Desirable corner lots in DeSoto at one time found a ready market at \$1,500 each, while land claims were bought and sold at from \$300 to \$1,000. Prairie breaking was bought and paid for at \$8 in gold.

During this period the settlers occupied rudely constructed log cabins, usually with earthen floors, but in some instances those who excelled in the matter of luxuries secured split logs or puncheons for floors, and lined the house with cotton cloth for a white finish.

"Squatter sovereignty" was the fundamental principle of all law, and "claim clubs" were formed in every town and settlement by the actual settlers for the purpose of protecting themselves and their interests from the lawless and the desperate, who then, as now, were to be found in every locality. Contentions frequently arose; severe measures were often resorted to, and the lives of men, in many instances, were sacrificed in defending a mere claim to unimproved and unsurveyed land.

In August, 1855, a portion of the town site of Fort Calhoun was jumped by one Charles Davis, who was backed and supported by the people of DeSoto. Taking possession of a cabin on the premises, with a posse of fifteen or twenty men, he boldly defied the rightful claimants. The Fort Calhoun people rallied in defense of their claim, and twenty-five or thirty strong proceeded to besiege the cabin. A bloody battle ensued, in which Goss, the leader of the Fort Calhoun party, was killed, and Purple and Thompson were wounded. One of the besieged party was also wounded. The battle terminated in a compromise, whereby Davis was induced, for a consideration, to abandon his claim.

The winter of 1856-7 will ever be remembered by the early settlers

as one of unparalleled severity. Snow for a period of three months lay upon the ground from three to five feet deep, with a crust on top sufficiently strong to enable a man to walk on it, while the heavier animals would break through. The native grasses and rush beds along the river were entirely covered, and these were mainly relied on for wintering stock. Most of the cattle in this and adjoining counties literally starved. In some instances whole herds of cattle starved and froze to death within a mile or two of ample supplies of hay, not, however, without every exertion being put forth that was possible to move the cattle to the hay. The crust would not carry their weight, and they could not advance against it, and when effort was made to break a trail the flying and drifting snow would completely obliterate all traces of the work before the object could be accomplished. Many persons were frozen to death, some almost at their own doors. Snow storms that filled the air, and would in a few moments utterly blind the traveler, were of such frequent occurrence that traveling, even short distances, say from one house in a town or city to another in the same place, was oftentimes extremely perilous. Previously the wild turkeys and deer had abounded in great profusion, but during the winter the turkeys mostly died of starvation, and deer were slaughtered by the wholesale; for in their frantic efforts to escape they would break through the crust while a man could walk on top of the snow and dispatch them easily with knife or club. The settlers were poorly sheltered and ill prepared to withstand the severity of the season, and none except those who were here will ever realize the extent of the anxiety and suffering that pervaded the settlements at that time.

In the spring of 1857 occurred the great flood or overflow of the Missouri river, also unparalleled in the history of Nebraska. The waters of the Missouri river covered the entire bottoms, or lowlands, from the bluffs of Iowa to the bluffs of Nebraska. Settlers on these bottoms were washed out and their houses carried away, and in many instances people were drowned. The river was from ten to fifteen miles in width and crossing was only accomplished in small boats or skiffs. The town of "Hiawatha," located on the river bank east of Cuming City, was washed away, and the steam saw mill, which mainly constituted the "town," is presumed to be still buried at that place beneath the turbulent waters of the broad Missouri.

HARD TIMES.

With the financial crash of 1857, the era of speculation passed away. Fancies were replaced by matters of fact. From building air castles and paper towns, the attention of the settlers was mainly directed to the solving of a single problem, viz., how to procure subsistence for themselves and their families. All the wheat flour was imported from Missouri and Iowa. Groceries and dry goods came by river from St. Louis, and none of these could be procured without money. This useful article became *singularly* scarce—in fact, entirely ceased from circulation, and many of the best men (financially), men whose property was valued at thousands, could not command the wherewith to purchase even a single sack of flour, costing at that time from ten to twelve dollars. Corn bread became the “staff of life”—the wealthiest and best families living on corn bread and vegetables for several months at a time, and as there were few mills for grinding, the supply of corn meal was usually procured by the aid of ordinary coffee mills.

The citizens of Fontenelle were particularly fortunate in the possession of an old style “corn and cob crusher,” owned and operated by Thomas Gibson. It is related by a prominent citizen of to-day that upon one occasion, after his family had dieted on corn bread for many months, he very fortunately became the owner of a sack of flour, and arrived home with it late one evening. The next morning before daylight his children arose from their beds in a state of great excitement and expectation in anticipation of the important event of having wheat bread for breakfast.

The years of 1857, 1858, and 1859 are known as the “era of hard times.” The financial crash deadened all business enterprises, and as up to that time speculation had superseded sober industrial pursuits, when the crisis came many or all of the mere adventurers left the country in disgust. They left the better class—those who came to make permanent locations and build up homes for their families—to face the crisis and survive as best they could.

As if to add to the anguish of their already overburdened spirits, in the month of July, 1858, by proclamation of James Buchanan, a land sale was ordered at Omaha, and thus their homes placed in the market. This was a source of great financial embarrassment to all the settlers of the county, and many, by the force of this circumstance alone, retired

from the territory in disgust and ill-humor at the policy of the president, whereby they were virtually deprived of their possessions. And to the few who at that time clung to their new homes—living upon corn bread and vegetables, without money, and without a market for their products—we only regret our inability to pronounce a fitting eulogy.

With the Pike's Peak excitement and the remarkable emigration to those mines in 1859, suddenly, and as if by magic, a market was opened up along the Platte and to the westward. This to our pioneers was the dawning of a bright and glorious day, after a night of fearful gloom and uncertainty.

In the spring of 1859 occurred an incident which, although unpleasant in detail, properly belongs to the history of the county. Two persons of very doubtful character had been arrested for horse stealing and bound over for trial. There being no jail in Washington county, they were placed in the Douglas county jail at Omaha for safe keeping. One dark night in February or March a posse of masked men waited upon the jailer, secured possession of the keys, and in a very prompt and expeditious manner took from the jail the two prisoners referred to above and with them quietly departed.

Excitement ran high the next day when the two men were found hanging by the neck on the limb of a tree about three miles north of Florence, near the southern boundary line, yet within the county of Washington. An effort was made to ferret out and punish the perpetrators of this crime, and at least three, at that time prominent citizens of this county, were arrested and tried for complicity in the affair, with the result of a failure to convict. This circumstance is no doubt fresh in the memory of many of the early settlers, yet some of these there are who would gladly forget the hanging of Braden and Daily.

At a very early period imaginary territorial roads were located by the legislature connecting all the principal cities and towns. Prominent among them was the main road from Omaha to Dakotah City, running through the river towns of Washington county, located in March, 1855, by David Lindly, B. R. Folsom, and James C. Mitchell, commissioners appointed for that purpose. Although it seemed an easy matter to locate and establish roads by legislative enactment, yet traveling was attended with great difficulty for want of bridges until the summer of 1858; no work having been done authoritatively un-

til the winter of 1857-8, when bridges were built and the road placed in a passable condition from Omaha to Tekamah.

At the election in 1859, James S. Stewart and John S. Bowen were elected representatives.

The official census of 1860 returned a population for this county of 1,249, and from that year may be dated the real prosperity of the county, and its increase in population. Farming had been reduced to a system. The Platte river and Pike's Peak trade made a steady market for all farm products, at good prices, while prospects were bright and money reasonably plenty, and those who had lived out the hard times of the preceding three years were made glad by the appearance of many new settlers.

At the election this year, John A. Unthank was elected councilman, and Giles Mead and Henry W. DePuy were elected representatives, the latter being elected speaker of the house.

By the act of the legislature in 1855, the northern boundary was fixed about six miles north of the present site of Blair, and in February, 1857, this boundary line was moved north four miles, where it remained until by act of the legislature, March 3, 1873, the present north and south boundaries of the county were established.

In 1861, E. A. Allen and John S. Bowen were elected representatives.

In 1862, George W. Doane, of Burt county, was elected councilman, and L. R. Fletcher and Dean C. Slader were elected representatives. These members were not seated, however, as the session of the legislature for the winter of 1862-3 was dispensed with by act of congress, and the money equal to the expense of the session applied to war purposes.

The election of 1862 witnessed a radical change in the politics of the county. For eight years from its organization the supporters of the democratic principles were in the majority, and this was the first republican victory. From that time to the present the county has been largely republican in sentiment.

In 1863, H. J. Rohwer and John Evans were elected representatives.

In April, 1863, the Enabling Act was passed by congress, authorizing the territory to organize a state government, and at a special election held in June of that year Elam Clark and A. Castetter were

elected to attend the state constitutional convention. This convention adjourned without forming a constitution. The legislature of 1865-6 prepared the state constitution which was submitted to the people and adopted at a special election held June 2, 1866, at which time Frank Welch, of Burt county, was elected the first state senator, and David McDonald and W. R. Hamilton were elected first state representatives.

At the fall election in 1864 E. A. Allen was chosen councilman, and H. M. Hitchcock and N. McCandlish were chosen representatives.

In October, 1865, E. H. Clark and Charles Easley were elected territorial representatives.

At the October election of 1866 there were two sets of legislators elected. John D. Neligh, of Cuming county, for councilman, and A. S. Warriek and Dr. L. J. Abbott, territorial representatives, while Jesse T. Davis was elected state senator, and John A. Unthank and Dean C. Slader were elected representatives.

COUNTY SEAT RELOCATED AT CALHOUN.

At the fall election of 1866 the county seat, which had long been a bone of contention between the two towns, was by a vote of the people taken from DeSoto and relocated at Fort Calhoun.

Up to this time the interior portion of the county was comparatively unsettled, but the homestead law passed by congress in 1862 began about this time to have a salutary effect upon the heretofore unoccupied prairies of Washington county. A new impetus was given to immigration, and from that to the present time the growth of the county has been rapid and of a permanent and substantial nature.

On the 1st day of March, 1867, by proclamation of Andrew Johnson, Nebraska was formally admitted as a state.

In 1868 W. J. Goodwell, of Burt county, was elected state senator, and W. H. B. Stout and Christian Rathmann representatives.

In 1869 the new towns of Blair and Bell Creek were founded and began to assume some importance as the railroad towns of the county; the county seat being removed from Fort Calhoun to Blair during the year.

In 1870 B. F. Hilton was elected state senator, and Elam Clark and H. C. Riordan representatives.

In 1872 L. W. Osborn was elected state senator, and Henry Sprick

representative, a new apportionment having given the county but one member of the house.

In 1874 for state senator was elected Waldo Lyon, of Burt county, and E. S. Gaylord, the present representative of Washington county.

Since the organization of the state, the county of Washington has been honored with the selection of one secretary of state, the Hon. T. P. Kennard, and one member of congress, the Hon. Lorenzo Crounse, who is now serving his second term as congressman.

The railroad interest of the county dates back to the years 1864-5-6, when during each of those years preliminary surveys were made across this county by some of the Iowa railroad companies. The "Northern Nebraska Air Line Railroad Company" became incorporated first in 1864. Subsequently the organization was dissolved, and re-organized again in 1866-7.

A grant of land was made to this company by the legislature in June, 1867, of seventy-five sections. This proved too much for those virtuous Washington county incorporators. Seventy-five sections of land was *more* than they would consent to receive for the building of a paltry railroad, and they wisely determined to shift the responsibility from their own to shoulders more broad.

The result was, the Sioux City & Pacific Railroad Company became the owners of the "Northern Nebraska Air Line," together with the seventy-five sections of land, and during the years 1868 and 1869 built and put into operation the first line of railroad in this county, extending from DeSoto, via Blair and Bell Creek, to Fremont, in Dodge county, together with a "plug" or branch from *Blair to the Missouri river*, thus crossing the entire county from east to west.

The Omaha & Northwestern railroad, constructed in 1871-2, also passes the entire distance through the county, from north to south, intersecting and crossing the Sioux City & Pacific railroad at Blair, making a total of forty-four miles of railroad in the county.

During the doubtful days of the great rebellion, Washington county was not lacking in those patriotic and loyal principles which actuated so many brave men of the nation. She promptly furnished company "A" of the First Nebraska volunteers, of which Peter A. Reed, of Richland precinct, was captain; Silas Seeley, of Fontenelle, first lieutenant; and E. H. Clark, of Fort Calhoun, second lieutenant.

The educational interests of the county appear not to have been

lost sight of during the speculative excitement of early days, nor during the darker days of 1857, 1858, and 1859. As early as 1856, schools were established at Fort Calhoun, DeSoto, Cuming City, and Fontenelle. The first session of the territorial legislature passed an act in March, 1855, establishing a public school system, very imperfect but answering all the requirements of the time. In November, 1858, was passed an act "for the better regulation of schools in Nebraska." This also has been amended from time to time, until now our public school system will compare favorably with that of any state in the Union; while its workings in this county are a credit alike to the county and the state.

The Blair High School building, erected in 1872 at a cost of \$15,000, is one of the finest in the state, and with its present efficient corps of teachers is fast acquiring a reputation as a first-class institution of learning.

There are at the present time within the county, forty-six school districts each provided with a good house for school purposes, varying in cost from \$500 to \$15,000. These houses will compare very favorably in appearance and accommodations with the school houses in many of the older states, and are mostly supplied with maps, charts, and globes—in fact all necessary apparatus for teaching upon the most improved modern principles.

There are annually employed in the county seventy-four teachers, male and female, and the total number of children of school age is 2,323.

The amount of wages paid to teachers for the fiscal year ending July 1, 1876, was \$11,626.95, and the total value of school property in the county at the present time is \$49,970.

There is little to be said concerning the religious interests of the county in early days; probably these were mostly neglected, as such has been the case in new countries generally. There was, however, a Congregational society organized at Fontenelle in May, 1856. Also the same month and year, Mr. T. M. Carter, of DeSoto, purchased the first library and organized the first Sabbath school in the county at that place. During the season of 1855, there were two religious societies at DeSoto struggling feebly to counteract the influences of many saloons that infested the place at that time.

Whatever may have been the status of church affairs in former

times, certain it is that the interests of religion are well represented to-day. There are at the present time in the county twenty-three organized church societies, representing thirteen denominations, with a number of substantial buildings in Blair, and others in various parts of the county.

The present towns of the county are Blair, with a population of 1,500; Bell Creek, with two or three hundred; Fort Calhoun, and Herman, all thriving railroad towns, and each the pride of the people in their respective localities.

There are at present in the county four Masonic organizations, three Odd Fellows' organizations, and two weekly newspapers—the *Blair Times*, established in July, 1870, and conducted by the Hon. J. S. Bowen; and the *Pilot*, established in this county in 1874, and conducted by L. F. Hilton.

In 1874 the census returned a population for the county of 5,404; and the census of March, the present year, shows little less than 7,000 inhabitants, making an increase of population of nearly one thousand per year.

With her natural advantages of soil, climate, and location, her schools and churches, the advanced state of morals and society, her railroads, her city of Blair—second to none of equal age in the state—and last, though not least, the general intelligence and energetic character of her inhabitants—her future power and glory are by no means uncertain, nor far distant; and we have every reason to feel a glow of honest pride and satisfaction at the present situation and future prospects of Washington county; confident in the assurance that she will, in the future, as in the past, ever be found ranking first among her sister counties—an honor alike to the state and to the memory of *him* whose name she bears.

HISTORY OF SARPY COUNTY.

BY S. D. BANGS.

At the time that Napoleon was first consul of France, the French possessions in North America were exposed to the maritime power of Great Britain, with whom France was at war, and were really a source of weakness to the mother country from their remote situation and their liability at any moment to fall into the hands of the enemy.

In this emergency Napoleon resolved to abandon his cherished notion of colonial dependencies, which could not be protected, and entered into negotiations with the United States for their relinquishment.

In 1803 a treaty was consummated between the two countries, which secured the whole of this vast territory for the sum of \$15,000,000.

The Louisiana purchase (although unauthorized by the Constitution) is an imperishable memorial of the wisdom of Jefferson's administration.

It extended the broad domain of the republic from the Mississippi to the Pacific. It opened out its immense resources to the struggling masses of the Old and New World, and states and territories have arisen within its borders, possessing every variety of soil and climate and rich in mineral and agricultural wealth.

In 1804 an expedition was fitted out by the United States government, under command of Lewis and Clarke, for the purpose of exploring this newly acquired territory, and a vivid description is given in their journals of their descending the Missouri river in boats from St. Louis, and touching at a point nine miles above the mouth of the Platte river, within the present limits of Sarpy county.

It is stated that in 1805 Manuel Lesa, a Spanish adventurer, with his party, visited the site on which Bellevue is now situated, and upon viewing the magnificent panorama that was spread before them, Capt. Lesa, with a spontaneous burst of admiration, exclaimed, "Belle vue!" (or beautiful view) a name by which it has since been recognized.

In 1810 the American Fur Company established a trading post at Bellevue, and appointed Francis DeRoin Indian trader, who was succeeded by Joseph Roubideux, who served a term of six years, when his place was supplied by John Cabonne, until superseded in 1824 by

Col. Peter A. Sarpy, the distinguished Indian trader, who continued in that capacity for about thirty years.

In 1823 Council Bluffs Indian agency at Fort Calhoun was removed to Bellevue, and included in its limits the Omaha, Otoe, Pawnee, and Pottawattamie tribes of Indians.

In 1834 the Rev. Moses Merrill, a Baptist missionary, erected a mission house among the Otoes. A stone chimney still remains to point the spot where a faithful missionary sacrificed his life in the discharge of his duty. He died in 1835, and at the request of his wife was buried on the Iowa side of the Missouri. His wife and child returned to the New England states, and the river has long since washed away all traces of his last resting place.

The property upon which the mission stood is now owned by John F. Payne, who has resided there thirteen years.

In the fall of 1834 Samuel Allis and Rev. John Dunbar, under the directions of the Presbyterian board of missions, arrived at the agency at Bellevue, in company with Major John Dougherty, Indian agent to the Otoes, Omahas, and Pawnees, where these Indians were paid their annuities. Messrs. Allis and Dunbar opened a school among the Pawnees at Council Point, up the Platte, which was afterwards abandoned on account of the hostility of the Sioux, and Mr. Allis returned to Bellevue and taught the children of the Pawnees at the agency.

Gen. Fremont, after exploring the South Pass, stopped at the Indian agency on his return in 1843, and sold his mules and wagons at auction and then descended the Missouri river on boats to St. Louis.

In the fall of 1846 Rev. Edward McKinney, acting under instructions of the Presbyterian board of foreign missions, selected a site on the south-east part of the plateau at Bellevue for a mission house and school for the Otoes and Omahas, which was approved by the Hon. Walter Lowry, the secretary of the board, on his visit in the spring of 1847, and the buildings were commenced in the fall of 1847 and completed in 1848.

In 1847 the first detachment of Mormons under Brigham Young, their leader, reached the Missouri river on their journey to Salt Lake, in a weak and destitute condition, but were relieved by the generosity of Col. Sarpy, who furnished them supplies, sheltered them from the storms of winter, and in the spring crossed numbers of them over his ferry at this point free of expense.

Council Bluffs or Bellevue (as it was now called) had become an important point on the Missouri river, and the present Council Bluffs was known as Mormon Hollow or Kanesville.

The trading post at Bellevue received the furs and robes collected from the trappers and traders along the upper Missouri and Yellowstone rivers, which were floated down the Missouri in Mackinaw boats, and afterwards reshipped to St. Louis.

Freights and merchandise directed to Council Bluffs landed at the trading post.

In 1849 the Nebraska post office at Bellevue was established. This year Col. Sarpy's ferry boat from St. Mary's to Bellevue was kept constantly employed in passing over gold hunters on their way to California.

In 1852 Major Barrows, Stephen Decatur, and others projected a town organization at Bellevue, which seems to have existed only in name. In this year the Rev. Mr. McKinney built a log dwelling house some distance north of the mission house, where he resided with his family, but shortly after resigned, and the vacancy was supplied by Rev. Wm. Hamilton, who arrived with his family June 6, 1853.

In 1853 the Indian agency buildings and blacksmith shops were erected on the plateau south of the mission lands, under the direction of Major Gatewood, the Indian agent.

On the 9th of February, 1854, the Bellevue Town Company was formally organized, with Col. P. A. Sarpy, Stephen Decatur, Hiram B. Bennett, Geo. Hepner, James M. Gatewood, Geo. T. Turner, P. J. McMahon, A. W. Hollister, and A. O. Ford as the original proprietors of the town, known as the "Old Town Company."

About this time Col. Maypenny, commissioner of Indian affairs, and Major Gatewood, Indian agent, held a council with the Omaha chiefs with reference to selling their lands to the United States. The Indians appointed Logan Fontenelle, a half-breed, as their head chief to assist in negotiating a treaty, and a delegation of chiefs, headed by Fontenelle, proceeded to Washington. A treaty was entered into March 16, 1854, and ratified June 21, 1854, which extinguished the Indian title to a large portion of Nebraska.

On the 27th of May, 1854, a bill was approved by congress organizing the territories of Kansas and Nebraska, which received the sanction of the president. The territory of Nebraska, extending

north of the Kansas line to the British possessions, opened up a country that is unsurpassed for fertility, although at one time regarded as part of the great American desert.

The 4th of July, 1854, was observed with much enthusiasm. An immense vine-clad arbor was erected near the agency buildings; the star spangled banner floated in the breeze, and a salute was fired for each state in the Union, including one for the new territory. D. E. Reed acted as chairman. Among the toasts was one by L. B. Kinney, viz., "Bellevue, the belle of the West, the center of our Union," which was responded to in appropriate terms. Another toast by Stephen Decatur, viz., "Nebraska! the keystone of the federal arch," elicited the wildest applause.

Bellevue has the credit of publishing the first newspaper in the territory, which appeared on the 15th of July, 1854, and was entitled *The Nebraska Palladium*, D. E. Reed editor and, proprietor. It was printed at St. Mary's, Iowa, until the middle of November, 1854, when it was brought over the river and placed in the south wing of the McKinney house. Dr. E. N. Upjohn, now residing in the county, struck off the first paper, and Thomas Morton set up the first column of the first newspaper printed in the territory. It died a natural death in April, 1855.

In October, 1854, the territorial officers appointed by President Pierce for this territory began to arrive.

Gov. Francis Burt, of South Carolina, and his staff landed at Bellevue on the 8th of October, 1854, followed shortly by the secretary, Hon. Thomas B. Cuming. On the 11th Chief Justice Fenner Ferguson arrived at the same place, each of whom were received with the honors due their respective stations. Gov. Burt exhibited symptoms of disease on his arrival, which proved fatal on the 18th of October, 1854. He died at the mission house of a disease that baffled the skill of his physicians, who bestowed on him the most unremitting attention. He also received the utmost care and kindness from Rev. Wm. Hamilton, with whom he was staying as an invited guest. His remains were taken to Pendleton, South Carolina, his former home, under a suitable escort.

Deputations and citizens from Nebraska City, Plattsmouth, and other points waited upon Gov. Burt, each urging their respective claims for the location of the capital, and it was his intention to have

examined each point and then decided on the most meritorious one for its location; but being prostrated by sickness, he was unable to do so, and after his death a public meeting was held, at which the acting governor made a proposition to locate the capital at Bellevue, providing the mission and town company would donate to him 100 acres off the north end of the mission reserve, which was indignantly refused, and in a few days Omaha was selected as the future capital of the territory.

As emigration poured into the territory, it was deemed necessary to organize claim clubs to protect actual settlers in the possession of their claims on the public lands, and the first claim club north of the Platte was organized at Bellevue in the fall of 1854, with Judge Gilmer as president, and James Gow, C. T. Holloway, and Abner W. Hollister as committee to draft a constitution and by-laws.

The boundaries of the various counties in the territory having been defined, Douglas county included all of what is now Sarpy county, and on the 20th of November, 1854, were appointed four councilmen and eight representatives, in accordance with the first census returns made by the acting governor. The county of Douglas was divided into two election precincts, viz., the Omaha and Bellevue precincts.

November 30, 1854, having been appointed by the acting governor, T. B. Cuming, as Thanksgiving, it was observed at the mission house with services by Rev. Wm. Hamilton.

At the election for representatives to the territorial legislature, held December 12, 1854, Bellevue precinct polled ninety-three votes, and elected S. A. Strickland, Chas. T. Holloway, Stephen Decatur, A. W. Hollister, and Philander Cook to serve as members at the first session of the territorial legislature, which convened at Omaha, January 16, 1855, but were not allowed to take their seats.

At this session of the legislature Bellevue was incorporated as a city.

In the latter part of January, 1855, D. E. Reed was appointed postmaster. The post office was held at the mission house, where his wife taught the first white school in the territory.

Nebraska Lodge No. 1 of A. F. and A. M. was instituted at Bellevue in March, 1855, although meetings were held at the old trading post in 1854.

A number of complaints were made to Major Hepner, the Indian agent, that depredations were being committed by the Omahas on the persons and property of the whites, and a council was held at the mis-

sion house in Bellevue in April, 1855, at which were present White Cow, Yellow Smoke, Standing Hawk, and other chiefs, with Henry Fontenelle, a half-breed, as interpreter. The agent told them that the tribe must not stay longer to harass the whites, but must leave for their reserve provided for them in the treaty. The chiefs replied by stating their grievance in having to leave their old hunting grounds and home; that they could not restrain their young braves from stealing from the pale-faces when away from the village, and appealed to their father to ask the father at Washington to send them more ponies and guns, as they were poor and needed them to defend themselves when attacked by the Sioux.

In an interview the writer had with Chief Logan Fontenelle the day before the Omahas left for their reserve, in June, 1855, he expressed himself as dissatisfied with the government in sending a weak and defenseless tribe of less than 1,000 souls to be massacred by the Sioux, having thousands of warriors; and that a company of troops should be sent with them to afford protection. "But," he added, pointing to his Colt's revolver, "if attacked I am good for six of them." The sequel proved his fears were true.

Logan Fontenelle was a half-breed, his father being French. He was educated in St. Louis; spoke English fluently, and was at this time about thirty years of age, of medium height, swarthy complexion, black hair, and dark, piercing eyes. In the middle of the summer of 1855 a procession might have been seen wending its way towards the old home of Logan Fontenelle on the bluffs overlooking the Missouri river, and above the stone quarries at Bellevue. It moved slowly along, led by Louis San-so-see, who was driving a team with a wagon, in which, wrapped in blankets and buffalo robes, was all that was mortal of Logan Fontenelle, the chief of the Omahas. On either side the Indian chiefs and braves, mounted on ponies, with the squaws and relatives of the deceased, expressed their grief in mournful outcries. His remains were taken to the house which he had left a short time before, and now, desolate and afflicted, they related the incidents of his death. He had been killed by the Sioux on the Loup Fork thirteen days before, while on a hunt with the Omahas. Having left the main body with San-so-see, in pursuit of game, and while in a ravine that hid them from the sight of the Omahas, they came in contact with a band of Sioux on the war path, who attacked them.

San-so-see escaped in some thick underbrush, while Fontenelle stood his ground, fighting desperately and killing three of his adversaries, when he fell, pierced with fourteen arrows, and the prized scalp lock was taken by his enemies. The Omahas did not recover his body until the next day. It was the wish of Col. Sarpy to have him interred on the bluffs fronting the house in which he had lived, and a coffin was made which proved too small without unfolding the blankets which enveloped him, and as he had been dead so long it was a disagreeable task. After putting him in the coffin his wives, who witnessed the scene, uttered the most piteous cries, cutting their ankles until the blood ran in streams. An old Indian woman who looked like the Witch of Endor, standing between the house and the grave, lifted her arms to Heaven and shrieked her maledictions upon the heads of his murderers. Col. Sarpy, Stephen Decatur, Mrs. Sloan, an Otoe half-breed, and others stood over the grave when his body was lowered, and while Decatur was reading the impressive funeral service of the Episcopal church, he was interrupted by Mrs. Sloan, who stood by his side and in a loud tone told him that "a man of his character ought to be ashamed of himself to make a mockery of the Christian religion by reading the solemn services of the church." He proceeded, however, until the end. After the whites, headed by Col. Sarpy, had paid their last respects, the Indians filed around the grave and made a few demonstrations of sorrow; the whites dispersing to their homes, and the Indians to relate their own exploits, and the daring of their dead chief.

COL. PETER A. SARPY.

In April, 1855, Col. Peter A. Sarpy was keeping a store at St. Mary's, Iowa, then a station on the stage route from St. Joe to Council Bluffs. As my destination was Bellevue, Nebraska, I stopped here and alighted from the stage with Col. Gilmore, a friend of Sarpy; who received us with a cordial and affectionate greeting. We were invited to the store, where refreshments were served, and I had a good opportunity to observe the eccentricities of our worthy host. He was about 55 years of age; rather below the medium height; black hair, dark complexion; well-knit and compact frame, and a heavy beard that had scorned a razor's touch for many a year. His manner was commanding; his address fluent, and in the presence of the opposite sex

polished and refined. Col Sarpy was of French extraction, and educated in St. Louis, where his relatives occupied high social positions. He preferred the freedom of the western prairies to the society and refinement of civilized life, and was never happier than in visiting the Omaha wigwams under the bluffs near the old trading post, the Omahas regarding him as their Ne-ka-gah-he, or big chief. To one of their number—Ne-ko-ma, his reputed wife—he was more than once indebted for the preservation of his life when attacked by hostile Indians. She had been the wife of Dr. Cole, the surgeon of the post at the Indian agency at Fort Calhoun. Her influence with the tribe was unbounded, and to please her they were often feasted at Sarpy's expense. She is now living at the Omaha agency, enjoying a pension from his estate. But I am digressing. The conversation turned upon the action of the acting governor in removing the capital from Bellevue to Omaha; the killing of Hollister by Dr. Henry, and other topics of general interest in the newly organized territory; and while Sarpy portrayed in glowing colors the noble traits of the red man and the injustice and wrong they had suffered at the hands of the whites, he was interrupted by a tall, gaunt looking specimen of humanity, who approached him and said: "This talk about the Indians as good, brave, and intelligent may suit you traders who have been enriched by exchanging your gewgaws for their valuable buffalo robes and defrauding them of their annuities, but I have lived among them, too, and I know them to be a lying, thieving, treacherous race, incapable of distinguishing right from wrong, and the sooner they are exterminated the better it will be for the country." Sarpy advanced to the front of the speaker, and in an excited manner addressed him in reply "Do you know who I am, sir?" with emphasis: "I am Peter A. Sarpy, sir! If you want to fight, sir, I am your man, sir! I can whip the devil, sir! Choose your weapons, sir! Bowie knife, shotgun, or revolver, sir! I'm your man, sir!" He snapped his pistol at the lighted candle on the table, a distance of about three paces, which left us in total darkness, when the stranger availed himself of this opportunity to make his exit by the side door, glad to have escaped the unerring marksman, who might have extinguished him in like manner.

At the fall election in 1855 General L. L. Bowen was elected councilman from this part of Douglas county, and the next spring he secured a separate election district embracing the present limits of Sarpy county.

Our first justice of the peace was Squire Griffin, who was an eccentric character, and had peculiar notions of the dignity of his position. In appealing to his legal knowledge, he used to say : "If the court understands herself and she thinks she do, the law reads thus." His form of an oath was also peculiar, rounded as it was with the "financial period." Commanding the witness to hold up his right hand, he proceeded : "You do solemnly swear that the evidence you shall give in this case shall be the truth, the whole truth, and nothing but the truth, as you shall answer at the great day twenty-five cents." In the trial of a suit before him in which B. P. Rankin and S. A. Strickland were opposing counsel, they became very excited and personal in their remarks, and liar and other epithets were freely used by both parties, when the court felt it his duty to assess a fine of \$5 each for contempt of court. Rankin advanced to the desk and threw down a \$5 gold peice, saying : "Your Honor, there is the five dollars, and I beg you to understand that I have always felt, and do still feel, the most profound contempt for *this court*." Before the court could recover from its surprise, Rankin had disappeared, and was allowed to go in peace. Strickland was stung to the quick and begged imploringly of the court to remit the fine, as his reputation was at stake, but the Squire was inexorable, and when the fine was paid his Honor remarked that "the dignity of this honorable court must be upheld."

The first Indian scare was in 1855, when John Saling rushed into Bellevue on horseback and reported that thirty-three head of cattle had been stolen at Saling's Grove by the Indians, and been driven off. Everybody turned out, armed with every kind of weapon ; some on horseback and others in wagons. The Bellevue delegation met the Omaha delegation, commanded by Col. Thayer (since Gen. Thayer), at Saling's Grove. Scouts were sent in every direction to find the trail, but no traces of it could be found. A council of war was held and these *hardy veterans* commanded to make *forced* marches to the Pawnee village, recover the cattle, and strike terror into the ranks of the redskins. At night they camped near a stream in a grove about eight miles south-west, known as Lang's grove, and at present Aver's grove, and, as many were tired and hungry, loud murmurs of discontent arose when a few stale crackers and a piece of rusty bacon were apportioned by the commissary as rations for each recruit. While they were sleeping on the dead leaves, with a stump of a tree for a pillow,

some dreamed of home, others of the morrow. A few who were awake, heard the tinkling of the cow bells not far from camp. In the morning a courier arrived with the news that the whole of the cattle had been found near the mouth of the Platte river, but that during the night a number of Jonas Mitchell's cattle had been driven off by the Pawnees, who must have passed close by the camp.

This baffled the generalship of the whites, and further pursuit of the Indians was abandoned. Those who participated in the campaign were afterwards known as "the survivors of the Pawnee war."

Charles Child claims to have built the first flouring mill in the territory, in 1855, at a point on the Missouri three miles north of Bellevue, since known as "Child's mill."

In January, 1856, the mission reserve was incorporated within the limits of Bellevue by an act of the legislature, being a section of land reserved in the treaty with the Omahas to the Presbyterian board of foreign missions, and for which the government afterwards granted a patent.

The Fontenelle bank was incorporated in 1856, and transacted business in Bellevue until the financial crash of 1857. During this year the Benton House was completed and kept as a hotel by George Jennings, and the mission house converted into a hotel kept by James T. Allen, and known as the Bellevue House.

A city organization for Bellevue was effected in the election of Reuben Lovejoy, mayor; and Wm. D. Rowles, J. T. Allen, and A. H. Burtch, aldermen. *Young America*, a newspaper printed at Bellevue by Wm. M. Thompson, figured about this time, but was short-lived. It was succeeded by the *Bellevue Gazette*, which launched its first number to the public October 23, 1856.

The Presbyterian church was completed in 1856, and Rev. Wm. Hamilton installed as minister in charge.

At an election held in November, 1856, Gen. L. L. Bowen and J. S. Allen were elected councilmen of this election district, and S. A. Strickland, C. T. Holloway, John Finney, and Joseph Dyson representatives; and through their exertions Sarpy county was set off from Douglas county and its present boundaries defined by an act of the legislative assembly of Nebraska, approved February 7, 1857. Gen. L. L. Bowen, C. T. Holloway, and S. A. Strickland were the commissioners appointed to locate the county seat, and Bellevue was selected.

The first election after the organization of the county was held May 25, 1857. Wm. H. Cook was elected judge of probate; C. D. Keller, register of deeds; S. D. Bangs, county clerk; W. F. Wiley, county treasurer; H. A. Lansdorf, superintendent of common schools; H. W. Harvey, county surveyor; John M. Enoch, sheriff, and John B. Glover, Robert McCarty, and Philander Cook, county commissioners.

The county commissioners held their first session, which was a special session, on the 19th of June, 1857, at the court house in Bellevue. They next met in regular session July 6, 1857, and divided the county into three commissioners' districts and two election precincts, known as the Bellevue and Plattford precincts. The clerk was instructed to issue notices of the general election for territorial and county officers, to be held August 3, 1857.

At this election the Hon. Fenner Ferguson, of Sarpy county, having received the highest number of votes, was elected delegate to congress. He resided at Bellevue until his death, which occurred November 11, 1859. His successor as chief justice was the Hon. Augustus Hall, of Iowa, who arrived in Bellevue with his family in March, 1858, and died at his residence near that place February 1, 1861.

Bellevue lodge No. 4, I. O. O. F., was instituted August 9, 1857, W. H. Cook, N. G.

We have said this much in reference to the early history of Bellevue, as it is intimately connected with the history of the territory before and since its organization. We have many historical facts and reminiscences relating to other portions of Sarpy county, which must necessarily be omitted in this article for want of time, but which will appear in the complete history of the county.

LA PLATTE.

The original town of La Platte was situated directly on the Missouri river, between the Platte river and the Papillion creek, and east of its present location. In 1855 the proprietors of the town, Gen. W. Larimer, Col. R. Hogeboom, B. P. Rankin, and Gov. Cuming, erected a double log house as a hotel, and built a steam saw-mill costing \$7,000. Daniel Turner, Rev. John Hughes, and G. W. Tozier were among the first settlers. The town, from its proximity to the

river, was subject to periodical overflows, and in 1856 was abandoned for higher ground. A new town, west of there, extending to the edge of the table-land, was organized and platted by Larimer and Hogeboom, who purchased the land owned by Turner & Hughes, and it was named Larimer, in honor of one of its founders. The first hotel was built by Col. Hogeboom and kept by Mr. Shannon.

Between this place and the Missouri river a town named Platona was surveyed and platted by Daniel Gantt, who built a hotel. This town has long since ceased to exist.

Another town east of this and the Missouri river, called Triaqua, shared the same fate.

The present town of La Platte was laid out by the O. & S. W. R. R. Co., in 1870, and is situated nearly in the south-east corner of the county, embracing a portion of the original Larimer town site. It may be said to command the key to the Platte valley, being not far from the junction of the Platte river with the Missouri. The limestone quarries, a short distance above town and south-west, afford employment to large numbers. The stone is shipped to Omaha, Lincoln, and other points by the B. & M. R. R. Co., who have an excellent station at this place. There is a hotel, grist mill, store, blacksmith shop, and other buildings, and a good shipping trade is carried on in grain and other articles of merchandise.

The railroad bridge crosses the Platte river near this place, and is on the line of the B. & M. railroad.

FAIRVIEW

Was designed by its originators as a suitable location for the county seat. It is about ten miles from the mouth of the Platte river, on a high and beautiful plateau, and surrounded by well-improved farms. The Methodists have a flourishing church and Sunday-school in operation. As a town it has proven to be a failure.

PAPILLION.

As early as 1857, John L. Beadle, of New York, visited this county and pre-empted a portion of the land on which Papillion now stands. He was a practical man and had studied the topography of the country with a view to its future development. He considered this point in the Papillion valley as the natural outlet to the rich agricultural country extending south and west to the Platte river, and be-

lieving that the nation's highway to the Pacific would, in time, traverse this valley to reach the Platte, his faith in its future prosperity was unbounded, and had he lived he would have seen his fondest wishes realized in the beautiful little town which is now our county seat, and around which, in future, the historical associations shall cluster.

The first building erected was by Dr. D. E. Beadle (a brother of John L. Beadle) in November, 1869, and the town was surveyed and platted in October, 1870. He also started the first store in January, 1870, and sold his interest to Sander & Bro. in August of the same year.

S. M. Pike, who owned the land adjoining on the south, had a portion of it surveyed and platted as "South Papillion," and from this time its growth has been steady, until now it reaches about 400.

The *Sarpy County Sentinel*, edited by Geo. T. Hatfield, was published here; afterwards edited by J. C. Newberry, until its removal to Sarpy Centre during the exciting canvass for county seat in 1875.

The *Papillion Times* commenced its publication in November, 1874, with A. R. Kennedy as editor, who has continued in that capacity ever since.

The court house and public school, both built of brick, are ornaments to the town. There are also a number of tasteful private residences. There are two good hotels, several stores, a flouring mill, warehouses, shops, public hall and post office. Also a German Methodist church. Several other churches are in contemplation.

This being an important station on the U. P. railroad, a large amount of grain is annually shipped at this point.

SARPY CENTRE

lies nearly in the geographical centre of the county. The idea of laying out a town was first conceived by Capt. J. D. Spearman, who purchased the land. A company was organized and the town surveyed and platted in 1875. For a time it disputed gallantly with Papillion for the county seat, but was defeated at the last general election.

There is a good hotel, store, blacksmith shop, and other buildings. The *Sarpy County Sentinel* is published there.

There are good roads converging at this point from every direction, and an excellent business is carried on with the surrounding country.

FOREST CITY

was organized as a town April 18, 1858, with Barney Scott, Peter Forbes, Matthew J. Shields, Wm. Sayles, and Geo. B. Ackley as trustees. It is a town of modest pretensions and has never boasted of a large population. It is settled by an industrious, thriving people, and as its natural resources become developed the town will improve, and should the projected bridge across the Platte, connecting Saunders with Sarpy county, be built at or near this point, its future prosperity is doubly assured.

GILMORE,

on the U. P. railroad, ten miles from Omaha, was laid out by the U. P. R. R. company, which built a substantial depot on the line at that point. David Leach afterwards laid out an addition to the town. These parties have since succeeded in having it vacated.

Papillion City, laid out in 1857, at a point about two and one-half miles north-east of the present town of Papillion; Plattford, Hazelton, towns in this county, organized in an early day, have long since returned to their primitive state.

We have thus taken a retrospective view of some of the events that have transpired in the early history of Sarpy county, preferring in this centennial year to omit its later history, as this will eventually be embodied in the general history of the county.

SKETCH OF THE FIRST CONGREGATIONAL CHURCH IN FREMONT, NEBRASKA.

BY REV. I. E. HEATON.

October 28, 1856, I arrived in Fremont. Sabbath, November 2, I preached the first sermon in this vicinity. This was at the house of Seth Marvin, a mile and a half west of Fremont. No house in Fremont was sufficiently finished to contain an assembly of twenty-five. The next Sabbath we commenced a service in Fremont in the house of Robert Kittle (in a little shanty just south of the knoll on Military Avenue on which E. Abbott's house now stands). From that time Sabbath services were continued with special exceptions.

August 2, 1857, the First Congregational church was organized with seven members. Four of these are still numbered with us; these are E. H. Barnard, H. A. Pierce, my wife, and myself. I was the pastor for about twelve years. About 1860 we collected timber and boards for a church. The timber was nearly framed; some Indians were passing this way, and arrived here late in the evening. They made a fire near our timber. Early in the morning we found the timber was on fire. It was chiefly burned. We then purchased an unfinished house, and fitted it for a church. It became afterward the residence of Thomas Wilson. In the spring of 1867 we commenced the erection of a church 28x40 feet. It contained a tower and a bell. Our numbers were then small. The population of Fremont was small. The church was erected with perhaps as much energy, effort, and self-denial as have been exhibited in the erection of our present commodious church. We disposed of our first church building, expecting to soon occupy the new church. But delays occurred; the church was not completed for use till its dedication, Aug. 5, 1868. During the winter we occupied the school house; it stood west of the present Baptist church. The use of the school house was by necessity divided among three denominations. One Sabbath in January it was my lot to preach in the evening. Saturday afternoon my wife and I went away, expecting that I should preach in the morning. A young lady had been left in my care by the will of her mother by adoption. We left her with another young lady in charge of the house. By her slight want of caution our house took fire and was burned in the evening. When I returned Rev. Mr. Van Anda, the Methodist brother, suggested to me that perhaps I would not feel like preaching after returning and finding my house burned. I replied that I could just the same as on other occasions. I did so. This was, of course, a severe loss; all my books and papers were gone. But I took this view of the case; the loss had already occurred, I could not recall it. I would endeavor to make the best practicable improvement of present circumstances. So far as my loss might be considered providential I would neither murmur or repine. I remembered these lines:

Behind a frowning providence,
He hides a smiling face.

Providence smiled upon me. Friends were kindly liberal. I was enabled to erect our present house. In the spring of 1869 I was af-

flicted with severe rheumatism and resigned my office as pastor of this church. I suggested that some younger man might be more useful. October 1, Rev. James B. Chase became our pastor. He continued so for two years. In January, 1872, Roswell Foster became our pastor. He continued so for three years and some months. During his pastorate we enlarged our church building, by adding twenty-two feet to the north end. In January, 1876, Rev. George Porter became our pastor, and continued so for a year and a half. Our present pastor, Rev. A. T. Swing, commenced labor with us February 1, 1878.

EARLY FREMONT.*

BY HON. E. H. BARNARD.

When in the early autumn of 1856, from the bluffs near Elkhorn City, my eye first beheld this portion of the great Platte valley, I thought I had never seen so goodly a landscape. For many miles the windings of the Elkhorn and Platte rivers were outlined by a fringe of timber, bounding the valley on either side, while the meanderings of the now classic Rawhide were as distinctly traceable by an occasional tree and clump of bushes. The sight filled me with rapture and made the blood fairly bound in my veins. In all my life I had never seen its like and I never expect to again. Here was this grand, and beautiful, and fertile country, spread out like a map at my feet. And what made it more fascinating was the fact that it was *unoccupied* except by Indians and wild beasts. What wonder that those who saw this valley then should be seized with a strong desire, as was Moses of old, to go in and possess the land.

Well, we went in, a few of us, and just here the *poetry* of this narrative ends. Instead of the flesh pots of Egypt, made ready and awaiting us, we found hardships and privations on every hand. Nobody had been in advance to build us houses and dig us wells, to lay out roads and build bridges, school houses, and churches; nor men to plant groves for us. We had all these things to do for ourselves. The man who has a good house to live in while he builds a better one, does a good thing, but he who builds a shelter while he is himself

*Read at the farewell service held in the Old Church, June 21, 1884, first printed in the *Fremont Tribune*; reprinted by permission.

unsheltered does quite a different thing, and just *that* the first settler always has to do in a new country. Everything had to be done in the way of building before we were ready to begin to live, and all the while we were preyed upon most persistently by flies and gnats in the daytime and fleas and mosquitoes by night. Insect life was animated and held high carnival, and I can assure you there is quite a difference between the music of the festive mosquito just outside the screen, and the same voice, and bill, too, on the rim of one's ear, as some of you may know. Well, we didn't have screens then, nor any place to hang them either, which was worse. And further, besides all these impediments and pull-backs, we had the Indians to pacify. All this, however, was to have been expected, and as long as money held out to buy provisions with we were content. The first human habitation, so far as is known, was built upon the very spot where a part of this church now stands. I say human habitation because it sheltered men; but you may regard it as an inhuman place to live in when I tell you that it was built of logs, about 12x16 feet, and covered with hay. It was occupied first as a boarding house and afterward as a hotel, furnishing lodging to as many as fifteen or sixteen persons on one occasion over night. Such was the first cabin. In due time it gave place to this church edifice, and now that we are to remove this old building from this site, how fitting that a monumental church should be erected in its place, thus marking for generations to come the precise spot where that first cabin stood.

I had intended to relate some experiences with the Indians, who were more or less troublesome all of that autumn, but I forbear as that would prolong my narrative too far for this warm morning.

The winter which followed was one of great severity, and a large proportion of the stock which had been brought into the settlement in the fall, having nothing to eat but hay, mostly cut in October after it had been struck by the frost, perished.

I well remember that of the eight oxen brought here by Mr. Heaton, or perhaps I might better say, that brought him and his effects here, three survived. And here I want to relate a little incident. One of the most respected citizens, then as now, built a sled, an ox-sled, rather large as it was intended to haul house logs on, and as the weather was bad he was delayed in his work so that the vehicle was not completed until perhaps midwinter. When all was ready he

hitched his oxen to it, but by that time the snow was so deep and the oxen had become so poor and weak and the sled was so heavy that they were unable to stir it out of its place. How handy it would have been if he could have had a span of those fat, powerful Percheron horses, of which Fremont now boasts, to put in their places. But then we didn't have Percheron horses.

During the winter provision had to be brought from Omaha through snowdrifts that were well-nigh impassable. It used to take a week to make the round trip, and sometimes longer. On one occasion, towards spring, when there was a crust on the snow strong enough to bear the weight of a man in most places, a couple of sacks of flour were brought over from Fontenelle on a hand sled to piece out until our regular supplies could be got from Omaha. The winter was tedious, both in its monotony and its weather. But in the spring all was bustle and stir in the settlement; every man felt well and was full of courage and hope. Considerable prairie was broken up in time for planting corn, of which there was, very providentially, a good sod crop raised and harvested. The corn was of the variety familiarly known as squaw corn, because it was cultivated by squaws before we came. It was similar to Yankee or Canada corn, except that the kernel was softer. It was of all colors, and when ground or beaten into meal was the most perfect specimen of variegated colors imaginable.

This corn, while it was good for food, could not, at that time, be sold for cash, nor even traded for other provisions, for the simple reason that there was not any cash or provisions in the country demanding it. It had a value, however. It was good to donate to the minister and for some other purpose. I have been thus particular in describing this corn because it was destined soon to become the staple article of diet in the little hamlet. If it had not been for that crop of corn there is no knowing what would have become of the colony. The settlement must have been retarded if not scattered permanently. This may seem strange to the present well-fed inhabitants of this prosperous little city, but it should be remembered that like most first settlers in a new country, the first here were, for the most part, poor in this world's goods, and it will be readily seen that the expenses incident to building houses and buying everything needed for a year's subsistence and without any income whatever, were con-

siderable, so that it was not strange that the second winter found most of the settlers with very lean or quite empty purses. One man who had spent all, applied to his grocer in Omaha for credit on a supply of groceries until he could raise another crop. He got for answer that groceries were cash; but the merchant very kindly offered to furnish dry goods on time, but dry goods were not wanted. Our friend came home without either, and with Puritanic firmness sternly determined to stay and go without until such time as he could buy for cash. That man was E. H. Rogers, afterward and for many years cashier and presiding genius of the First National Bank of Fremont. How he and his family luxuriated on corn meal that season I leave you to imagine.

I well remember the case of two families, father and son, living in one house on corn meal alone for several weeks, until toward spring their cow, taking compassion on them, graciously consented to add the luxury of fresh milk to their diet. I say luxury because I mean it. The necessities of life are really very few, or as a certain ex-judge of this county once expressed it, they are mostly imaginary. People sometimes become discontented and complain of hard times, simply because they are not quite as well off as some of their neighbors. They think they are frugal and saving. What would they think of a regular diet of corn meal and salt, with variations, and plenty of good water three times a day for 90 days or so?

One thing is evident, if the early settlers of Fremont are not all in comfortable circumstances it is not for want of enforced lessons in practical economy, for they certainly had them and plenty of them, and fully illustrated.

A little anecdote may serve as a pointer and to illustrate the style of those days. A small boy recently transplanted from a home in Western New York had taken his place at table and was about to begin his repast, when his grandma told him he hadn't said grace. The little fellow looked up in his surprise and impatience and said: "I don't see what we have to give thanks for; we live in beggar houses and eat beggar victuals, and have to sit on old trunks and three-legged stools instead of chairs." He couldn't see it and the old lady had to perform that duty for him.

In June, 1857, with many others came a man with three P's, which being interpreted read, poverty, providence, and pluck. He reached

the little hamlet of log cabins, on foot—worn, dusty, and penniless—as did many others. He at once sought and found a place where he could work for his board—and such board—until he could do better. Well, he managed by hook and by crook to keep soul and body together and by the next spring had succeeded in borrowing money enough from some friend East to buy a breaking team consisting of two yoke of oxen and a plow, but before he had turned a furrow the Indians stole three of his oxen, and while searching for them the other ox strayed off, so he lost all—and had the borrowed money to pay. That was a little discouraging, wasn't it? He might have sat down and wrung his hands and prated that the world was against him, or he might have packed his knapsack and gone off cursing the country, but he did neither. He stayed and kept at it. That man to-day is the head of one of the great commercial houses of this city and a bank president—Theron Nye.

About the same time a family settled here from one of the Western states. The ladies, some of them, called upon the new-comer, as you know ladies do sometimes, and the hostess informed them that she had not been accustomed to such society, nor to living in such houses with such furniture. "Why," she said, "where I came from we had our houses painted on the inside and had painted furniture, too." As if the ladies of Fremont at that day never had seen paint. The next spring there was a rush of travel to Pike's Peak, and this very woman had tacked up on her house a sign which read, "Buter for Sale Here." She was believed to be the first codfish aristocrat of Fremont—she doesn't live here now. I have spoken thus of the humble beginnings, of the hardships, and the poverty and self-denial of those early days, which are in such marked contrast to the affluence and luxury of the present—that the disheartened and unfortunate may take courage by knowing what others have had to endure, that the lavish may learn to save, that the haughty, if there are any such, may be humble, and that *all* may *remember* not to despise the day of small things.

HISTORICAL AND POLITICAL SCIENCE ASSOCIATION OF THE UNIVERSITY OF NEBRASKA.

[A Communication from S. D. Cox, Secretary of the Association.]

LINCOLN, NEB., Jan. 12, 1886.

Geo. E. Howard, Sec'y of the State Historical Society:

DEAR SIR:—I have the pleasure to transmit herewith a brief history of the organization and transactions of the Historical and Political Science Association of the University of Nebraska. As the object of the Association is the study of economic and historical problems with special reference to local questions, its transactions will be of interest to your society, with which it is a co-laborer in a common field.

The association was organized Nov., 1884, with the following charter members: Chancellor I. J. Manatt, Prof. Geo. E. Howard, H. W. Caldwell, Sam D. Cox, Laurence Fossler, Edson Rich, W. P. Sullivan, A. W. Foote, N. Z. Snell, Flora E. Frost, Clara Parks, and H. H. Wilson.

The following additional names have been added to the roll of membership by election: Mr. and Mrs. A. W. Field, Mrs. Geo. E. Howard; and Miss M. A. Treeman, E. J. Churchill, A. G. Warner, and C. G. McMillan have become members as post-graduates.

Honorary members have been elected as follows: C. H. Gere, Albert Watkins, J. D. Calhoun, W. W. W. Jones, Mr. and Mrs. S. B. Pound, Mrs. J. L. McConnell, and Mrs. J. S. Dales, of Lincoln; Dr. Jesse Macy, of Grinnell, Iowa, and Dr. Albert Shaw, of the Minneapolis *Tribune*.

The nature and object of the association can not be more concisely explained than by quoting the simple plan of organization, which serves as a constitution and by-laws:

I. The general object of this association shall be the co-operative study of economic and historical problems with special reference to local questions.

II. The membership shall consist of the following classes: (1) Ex-Officio, (a) Professors and instructors in history and political science; (b) Seminary students; post-graduates studying for a degree. (2) Charter members and such other persons as may be elected by the association. (3) Honorary members: (a) Professors and instructors in other departments of the university; (b) Persons interested in

this line of work who may be elected by a two-thirds vote of all the members present at any regular meeting.

III. Officers.—The chancellor of the university, or in his absence, the professor of history, shall be president of the association.

The recording secretary and corresponding secretary shall be elected from the members of the association and shall each hold his office for one academic year.

The association was organized by the election of Sam D. Cox recording secretary and Howard W. Caldwell corresponding secretary.

Six meetings have been held, all of which have been of an interesting and profitable character. Besides the papers, much matter of interest has been brought out in the discussions of the papers and incidental topics. The papers and talks which have been presented before the association have been as follows :

Nov. 16, 1884, a paper by H. H. Wilson on "The Unwritten Elements of the Federal Constitution," and a report by A. G. Warner, "Wampum, Clam Shell Currency, and Indian Records."

Dec. 6, a paper, "The Income Tax in the United States," by Howard W. Caldwell.

April 3, 1885, a talk by Prof. Macy, of Grinnell, Iowa, on the question of "Educational Methods in their Application to Practical Life and Politics." A talk by Prof. Geo. E. Howard on the "Development of the Township and the Evolution of Institutions."

May 28, 1885, a paper by Edson Rich on "The Jews in Maryland." A paper by Prof. Macy, of Grinnell, Iowa, on "The Relation of Schools to Politics," read by Chancellor Manatt.

Nov. 14, 1885, a paper by Prof. Howard on "The Evolution of the County."

It will be noted that the papers that have thus far been presented have not treated local questions. This is due to the fact that most of them have been papers that were in preparation at the time of the organization of the society and were brought out at the earlier meetings when not time enough had elapsed for the preparation of papers *de novo* upon questions of local interest.

It is the object of the association to pursue original investigations of economic and historical questions in a thoroughly scholarly way, and it expects to do work in these lines, the results of which shall be of real and permanent value. We look to the State Historical Society for the collection and preservation of much of the material which our

association shall use in the investigation of local historical questions, trusting that there shall exist between the two organizations a hearty sympathy and co-operation which shall prove to be of great mutual advantage.

THE DISCOVERY OF GOLD IN COLORADO.

[Letter of Hon. J. Sterling Morton to Secretary Howard, Jan. 2, 1886.]

Since replying to your letter this A.M., in looking over a daily journal for 1859, I find recorded on the 5th day of January of that year the advent to Omaha from the Rocky mountains, of Al. Steinberger and Colonel Wynkoop, bringing the first gold from Cherry creek placers, where Denver now stands. The precious metal was in goose quills. The feather end had been cut off below the pith, right where the hollow trunk begins, and into this delicate, translucent receptacle the scale gold had been poured. There were not to exceed six quills full altogether, but there were enough to energize, organize, and enthruse a cavalcade of fortune hunters the succeeding spring which reached from the Missouri river to Pike's Peak.

The indices of Denver, the pointing fingers of fortune, were gloved in those insignificant auriferous feather ends. The marvelous unlocking of nature's safety deposit of silver at Leadville and gold at Georgetown and Golden, which has followed the discoveries of 1859, make the advent of Steinberger and Wynkoop at the old Herndon, in Omaha, on the 5th day of January of that year, a sort of metallic milestone in the development of the mighty mineral resources of the Rocky mountains.*

*The following extract from a letter of Mr. A. G. Barnes, of Lincoln, was published in the *Daily State Journal*, Jan. 15, 1886:

"I notice in a report of the meeting of the Historical Society a letter written by Hon. J. Sterling Morton, wherein he says: 'In looking over a daily journal for 1859, I find recorded on the 5th day of January of that year the advent to Omaha from the Rocky mountains of Al. Steinberger and Colonel Wynkoop, bringing in the first gold from Cherry creek placers.' The coming of these men at that time is true—I knew them well and both were from St. Joe, Missouri—but they were not the first to return from Pike's Peak to the river with gold dust.

"On the 25th day of December, 1858, I landed at Plattsmouth, and in a quill from a mountain eagle I carried about fifty cents worth of gold dust which I had found and panned myself at what was called the Mexican diggings, three miles above the mouth of Cherry creek on the banks of the Platte river.

"At that time there were about half a dozen Mexicans working there and getting from fifty cents to \$1.50 a day per man.

"Moses Stocking, Milo Fellows, and myself, leaving part of our company, started about November 20, 1858, for Plattsmouth, 600 miles distant, with cattle. In about twenty days we

ON THE ESTABLISHMENT OF AN ARBOREAL BUREAU.

[A letter of Hon. J. Sterling Morton to Secretary Howard, Jan. 5, 1886.]

Prof. Eggleston, chief of the forestry bureau at Washington, puts the annual value of forest products at \$8,000,000 in the United States, and Prof. Sargent made the estimate for the year 1880 to be \$7,000,000. That is more than the cash worth of our annual corn crop, twice our yearly wheat crop, and outvalues the yearly production of hay, rye, oats, barley, potatoes, buckwheat, and tobacco, all lumped together in silver dollars. The forests of the United States contribute more in value to the channels of commerce each year by more than ten times than all the gold and silver mines of the continent.

The denudation of all the hillsides, plains, valleys, and mountains in the Eastern and Middle states is making a history of the decline of agriculture, the increase of drouths, and the annual destruction by floods in spring time along rivers whose banks have been shorn from source to mouth of timber growth. And while deforesting is keeping a diary of destruction there and making hard history with the ax and the saw, cannot we, here in Nebraska, reforesting the plains from the Missouri river to the Rocky mountains, keep legitimately, a record of our tree increase, tree growth, and tremendous prosperity in agriculture because of arboriculture?

If the State Historical Society will only establish within itself an arboreal bureau and appoint a competent person or persons to gather, for preservation therein, the history of all the orchards and all the tree plantations of Nebraska, from the earliest to the latest planting, it will do a most practical and philosophical thing. And thus—after some years—a datum will be conserved which will materially aid in solving the question of climatic changes being brought about by ar-

got to Fort Kearney. There, the cattle being foot-sore, I left Stocking and Fellows to come in at their leisure, and started for the river alone. Before getting far on my way, however, I fell in with Ben Holladay, who was returning with mule teams from Salt Lake City, and who is known, by the way, as the man who first ran a mail across the 'Great American Desert.'

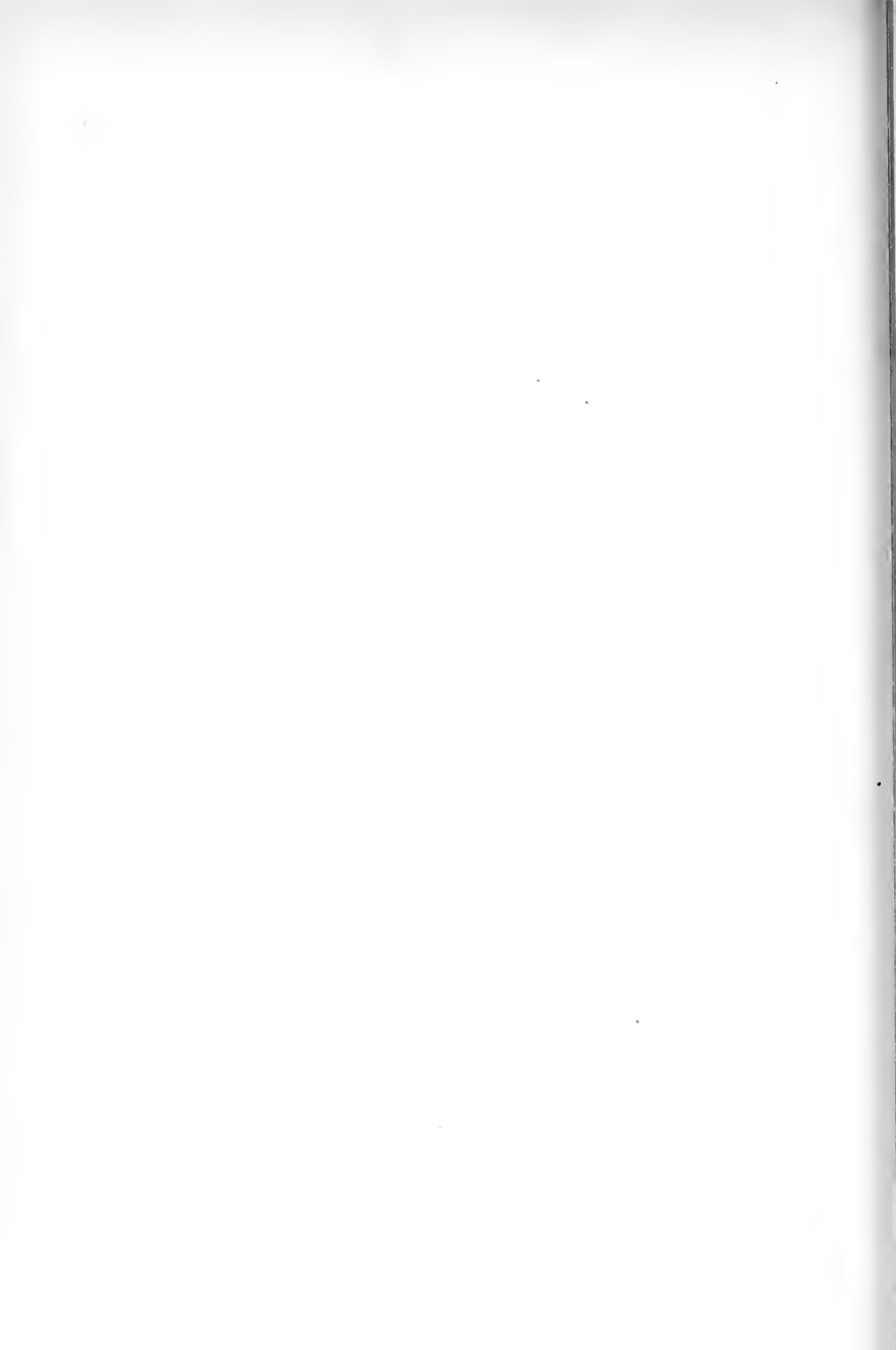
"We traveled in company to Salt creek ford, where the town of Ashland now stands, when Holladay went on to Nebraska City and I to Plattsmouth.

"I rode a very small mule, whose bridle was made of bed cord, while my saddle was composed of a piece of blanket and an antelope pelt.

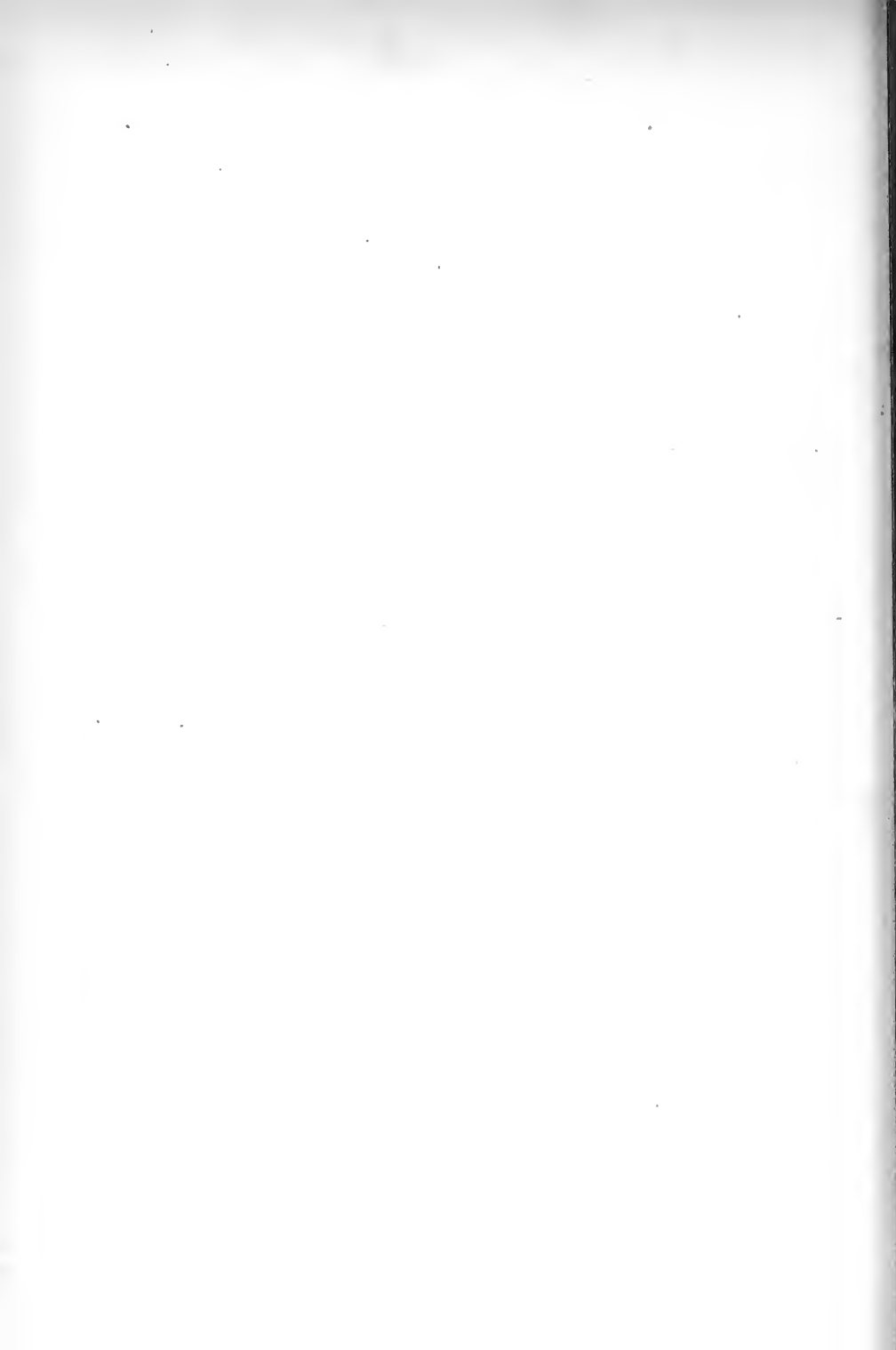
"Wherefore it is that I claim first blood in getting gold from Pike's Peak, as it then was known, to the Missouri river."

boriculture. And more than that, this arboreal bureau will act as a signal station does upon a stormy coast, and warn the race in Nebraska and elsewhere from danger to its very existence which shall come from non-attention to forestry—too much activity in cutting down and too little in planting out trees. The dead lands in the Orient, in Spain, in China, where man destroyed and never planted forests, teach a lesson that we should understand now. The Historical Society of Nebraska can with great propriety, it seems to me, take this matter intelligently in hand and preserve, in the manner suggested, very valuable facts—facts which involve human life and happiness—for the use of succeeding generations.

Men like Gov. Furnas and Dr. George L. Miller, who have practically planted forests, who have, with keen relish, zealously studied trees and their adaptability and growth in Nebraska, can, by taking hold of the biography of all the planted trees in the state, lift into view valuable facts and render humanity a vast service.



II.—BIOGRAPHICAL NOTICES.



HON. E. H. ROGERS.*

BY JUDGE SAMUEL MAXWELL.

Among the pioneers of this state entitled to honorable recognition, who assisted in the formation of its laws and the founding of its institutions, was E. H. Rogers. The subject of this sketch was the second son of a Methodist minister, and was born at Litchfield, Herkimer county, New York, January 12, 1830.

We have but few incidents of his early life. The meagre compensation accorded to ministers generally seems to have taught him the necessity of care in the expenditure of money, and also that true happiness does not depend upon the possession of wealth. It is worthy of note that the most successful business men, and those who feel most keenly the misfortunes of others, and extend a helping hand, are those who themselves, in boyhood or youth, have felt the pinchings of poverty. In the year 1851 Mr. Rogers married Miss Lucy Goff, and soon thereafter removed to Wisconsin. In 1856 he moved to this state, and settled at Fremont. No person who has not himself suffered the inconveniences and privations of pioneer life in a new state can fully appreciate its hardships. The open houses through which the wintry winds penetrate; the want of adequate facilities for heating, and consequent inability to render them comfortable; the want of variety in food, and in some cases, the insufficient supply; the coarse and rude furniture and utensils of those accustomed to better things, would discourage any but the bravest. Even those with sufficient means to purchase articles deemed to be necessary, suffer; while the very poor are frequently compelled to submit to the most severe hardships.

Mr. Rogers sustained his full share of the discouragements of pioneer life. In 1858 he was admitted to the bar of the then third judicial district before Judge Wakely, now of Omaha. In 1859 he was elected from Dodge county a member of the lower house in the terri-

*We omitted in the first volume of the *Transactions* to credit Hon. James M. Woolworth, Omaha, as the author of the biography of Mrs Caroline Joy Morton.

Believing it no more than simple justice, and as being legitimate history, to present as a portion of our work short biographical sketches of those who were prominent and active participants in the first decade of our territorial existence, we continue what we began in the first volume.—[EDITOR.]

torial legislature. The house of representatives during that session contained a number of persons who have since occupied prominent positions in the state, among whom may be mentioned T. M. Marquett, then of Plattsburgh, now of Lincoln, the first member of Congress after the admission of the state; John Taffe, then of Dakota county, the second member from this state, and who held the office three terms; George B. Lake, of Omaha, afterwards judge of the highest court of the state for seventeen years; S. F. Nuckolls, of Nebraska City, the founder of that city, an enterprising, liberal man; John S. Bowen, of Washington county, who would honor that county by any office in its gift; A. H. Hanscom, of Omaha, always on the alert, and ready to meet either friend or opponent; W. R. Davis, then of Cass county, now of Seward, a valuable member, etc.

In the council were Dr. Miller, late the editor of the *Omaha Herald*; Judge Dundy, afterwards territorial judge of the second judicial district, and for nearly twenty years last past judge of the U. S. district court of Nebraska; and Robert W. Furnas, governor of the state from 1873 to 1875. During this session a bill to prohibit slavery in the territory passed both houses. It received the earnest support of Mr. Rogers. The bill was vetoed by Governor Black and failed to become a law. The necessity for such a measure arose from the fact that it was generally reported and believed that there were a few slaves in the south-eastern portion of the territory, and while it was evident that this would not become a slave state, still there was a strong determination not to permit slavery to obtain a foothold, and to keep this fair state for homes for free men. The territory at that time greatly needed intelligent, enterprising settlers and these could only be secured upon the assurance that this would be and remain free.

D. D. Belden, then of Douglas county, introduced a bill prescribing and regulating the procedure before justices of the peace. It was passed without much opposition, and has remained without material change until the present time—a deserved tribute to the fairness of the author of the bill. A bill was also passed providing for a stay of executions, which has not been materially changed, except to shorten the time for which a stay may be taken; also a bill to provide for homestead and exemptions, bills to regulate partition enclosures, to authorize a suit to be brought on a written instrument in the name (initials) by which it was executed, to prevent overdrawing public funds

in counties, to protect game, to regulate the rate of interest on money, etc. Most of these acts remain on our statute books without material change and attest the practical character of the legislature. During the session one R. W. Steele, a former resident of Omaha, who had removed to Denver, Colorado, and been elected by the settlers provisional governor, in a communication to the house set forth the advantages of that territory, and the necessity for a separate organization and protested against the creation of new counties on the eastern slope of the Rocky mountains. The territory of Nebraska at that time extended from the Missouri river along the fortieth parallel to the east boundary of the territory of Utah, thence northward on the summit of the Rocky mountains to the forty-ninth parallel, thence east to Minnesota, thence southward to the Missouri river, thence down said river to the place of beginning.

The communication of Steele will be found in the house journal of that session, page 287. This seems to have induced Mr. Rogers to emigrate to that territory, which he did in the spring of 1860. Soon after removing there, he was elected judge of the miners' court of Russell district, and held that position until his return to this state in the autumn of 1861. He was then elected clerk of Dodge county, and held the office two terms. At the election held in June, 1866, Mr. Rogers was elected senator from Dodge county under the new constitution, and at the meeting of the senate on July 4 of that year was chosen its presiding officer. The only purpose of the first state legislature was to elect senators, who, in conjunction with the member of congress elect would apply for the admission of the state into the Union. If the state was not admitted, all the proceedings of the legislature would be void. The members paid their own expenses, the prospect for receiving remuneration therefor being somewhat remote. Grave doubts existed in the minds of many as to the expediency of adopting a state government, and a constitutional convention which had assembled in Omaha two years before in pursuance of the provisions of an enabling act had, after organizing by the election of officers, adjourned *sine die* without a dissenting vote. The building of the Union Pacific railroad, however, and the near approach of the C. and W. railroad to Omaha had the effect to encourage immigration and create a sentiment in favor of organizing a state government. The continual and rapid advancement of the state in population and

wealth has sufficiently attested the benefits flowing from state organization. A territorial form of government at best is but temporary and provisional, and intended to continue only until the territory contains sufficient population to bear the burdens of supporting a state government. There are many drawbacks to a territorial form of government, among which are the inability to derive any benefit from the school lands, or to make available the university and capitol building lands, and lands set apart for the erection of a penitentiary. Many of the most desirable immigrants, finding the educational system of a territory entirely undeveloped and surrounded by uncertainty, turn aside to some state where they are able to educate their children, hence are lost to the territory. In October, 1866, Mr. Rogers was elected a member of the territorial council, and also of the state senate, and was chosen the presiding officer of both bodies. The state was admitted into the Union on the 8th day of February, 1867, upon condition "that there shall be no abridgement or denial of the exercise of the elective franchise, or any other right to any person by reason of race or color, excepting Indians not taxed;" and upon the further condition that the legislature of said state assent to this condition. The governor at once convened the legislature and the condition was by it "ratified, adopted, and accepted," and so declared by the president of the United States, March 2, 1867. Governor Butler called an extra session of the legislature to meet in Omaha in June, 1867. Among the important acts passed at that session were the removal of the capital from Omaha to Lincoln, and to provide for the appraisal and sale of the school lands of the state. The constitution at that time fixed the minimum price of such lands at \$5.00 per acre. The legislature, however, fixed the minimum price at \$7.00 per acre, and that provision was incorporated into the constitution of 1875. The effect has been to preserve to the state a permanent school fund which, when the lands are all sold, probably will not be less than \$50,000,000, and may considerably exceed that sum, and the income from which, at the present time, is more than \$200,000. In 1875 he was president of the republican state convention, and in 1872 and and 1876 a lay delegate to the general conference of the M. E. Church. In 1867 he organized the private bank of E. H. Rogers & Co., and continued as chief manager of such bank until 1872, when it was converted into the First National Bank of Fremont,

with Theron Nye as president, and E. H. Rogers as cashier. He retained this position until the autumn of 1880. For some years prior to 1880 he had been troubled with a bronchial affection, so slight as to cause no alarm to his friends; as a precaution, however, he spent the winter of 1877-8 in Florida, returning home in the spring much improved in health. The indolent habits of the Florida people, and the want of some congenial employment to engage his attention rendered his stay in Florida quite irksome: hence, in the fall of 1879, relying upon certain representations as to the healthfulness of New Mexico, he was induced to spend the winter there. Prior to his departure a large number of his neighbors, as a token of their esteem, presented him with an elegant gold watch and chain. The presentation address was made by the Hon. E. H. Barnard, of Fremont, who himself had borne the burden of pioneer life, and spoke as a friend to a friend. Upon the return of Mr. Rogers to Fremont, it was apparent that his stay in New Mexico had been unfavorable, and an effort was at once made by his friends to procure his appointment as consul at some port where the climate was mild and equable; after the inauguration of Garfield, he was appointed and confirmed consul at Vera Cruz. He was at that time residing in Florida, but accepted the appointment. He sailed from New York about the 1st of July, 1881, in one of the steamers that skirt the southern shores of the Gulf of Mexico, and reached Vera Cruz about the 15th of that month and assumed the duties of his office. The soft breezes of the gulf revived his spirits, and he seemed endowed with new life, but after his arrival at Vera Cruz a reaction set in, and he died August 1 of that year. The surviving members of his family are his widow and two daughters, one the wife of Mr. L. M. Moe, and the other the wife of Mr. Yager, who reside in Fremont.

From boyhood he had been a consistent member of the M. E. church, and was one of its most liberal supporters and contributors. His benefactions, however, were not limited to his own denomination, but so far as his means permitted were freely made whenever an opportunity was presented to better the condition of mankind or relieve suffering. The lessons of his early years were deeply impressed on his heart, and he regarded himself as a steward in the use of the means with which he was blessed. In every relation of life he was an upright, honorable, reliable man, and true to every trust.

JAMES THOMAS ALLAN.*

James Thomas Allan, the only child of James and Jean Bowman Allan, was born in Pontiac, Oakland county, Michigan, Saturday September 30, 1831.

From his Scotch father he inherited a strong intellect and a tenacity of opinion, which was chastened and refined by his more sympathetic English mother, while from both he received a reverence and faith in a higher power, which in times of deepest gloom never wavered.

His education was principally in the academy of his native city. There he earned the reputation of a scholar, not only in the English branches, but also in the Greek and Latin languages, of which he was especially fond. To further satisfy his desire for knowledge, he taught school in Pontiac, after finishing at the academy. His parents had long cherished the idea of having their only son join the ministry, and for this purpose sent him at the age of eighteen to Princeton. Being too active for a sedentary life, and with ideas more liberal than the dark, austere creed of the Scotch Presbyterians of the day, he remained there but a short time.

On June 23, 1853, he was married to Miss Elizabeth A. Budington. He was greatly interested in agriculture and horticulture, of which from his early youth he was passionately fond. His home was that of the typical country gentleman. In the garden spot of our Northern states he inhaled a love of nature with each breath, and the effect was seen in the care and delight with which he cultivated her works. His especial pride was in new and rare varieties of fruits and flowers.

Becoming seized with the Western fever, in 1855 he paid his first visit to Nebraska territory. Bellevue was his destination, where his father had preceded him in June. He arrived December 19, 1855. Having made all arrangements to open the old mission house (which had been built in 1842) as a hotel, he returned to Pontiac to arrange his affairs preparatory to his change of residence.

* This biography of James T. Allan was written and presented to the State Historical Society by his daughter Grace—Mrs. Bradley.

In April, 1856, full of ambition and energy, with his wife and infant daughter, he left the beautiful home of his birth to brave the dangers of a new land. He took with him everything needful for not only comfort but luxury, not forgetting one thousand young apple trees, many of which are still bearing in Bellevue, together with an abundance of small fruits and flowering shrubs to relieve the wildness of a new country, and to perpetuate the memories of his old home.

They came up the river from St. Louis to St. Joe on the steamer "West Wind," the rest of the journey being on the steamer "Omaha" in company with J. H. Kellom, O. P. Ingalls, and Joseph Chapman, with their respective families. They landed May 4, 1856. The following June he opened the Bellevue House, which far exceeded in all its equipments any hotel in Nebraska. Judges Ferguson, Black, and Hall, Governor McComas, Generals Bowen and Strickland, Col. Peter A. Sarpy, Logan Fontenelle, and in fact the leading spirits of the territory made the house their stopping place.

Here was organized the Presbyterian church in Nebraska, with Rev. William Hamilton as minister. Mr. and Mrs. Allan, Mr. and Mrs. C. P. Storrs, and the Misses Maria and Elsie Hamilton as the choir.

In this year Bellevue was incorporated as a city, with Reuben Lovejoy as mayor. He was ably assisted by James T. Allan, W. D. Rowles, and A. H. Burtch, aldermen. *Young America*, the first newspaper of Bellevue, issued its initial sheet in Mr. Allan's house.

Mr. Allan removed to Omaha in October, 1859. He became chief clerk of the post office under W. W. Wyman, and E. B. Chandler's deputy clerk of the court. He assumed proprietorship of the Herndon House, a name suggestive of many memories to the early settlers. For years this was the stopping place of many men distinguished in civil, military, and political life. Receptions to General Curtis and General Sherman were given here, and it is doubtful if subsequent gatherings have ever been honored with more noted men than these. This house was the scene of the inception of the Union Pacific and of all the large merrymakings and celebrations of the embryo city. For six years Mr. Allan was the genial, generous host, ably assisted by Mrs. Allan, and many will remember to-day the hospitable welcome they received from them upon their arrival in the new country.

Could the walls of the old building speak, they would tell tales of many people stranded in pocket book, as well as ambition, whom he quietly helped with money and sympathy, and sent them on their way rejoicing.

Through failure to re-lease the hotel, Mr. Allan was compelled to abandon the Herndon in 1867, and for two years turned his attention to eating houses at Julesburg, Cheyenne, and Plum Creek. During Mr. Kellom's, Mr. Griffin's and Mr. Yost's terms as postmaster, he was employed in the Omaha post office as chief clerk, for which position he was pre-eminently adapted, gifted as he was with a remarkable memory. He inaugurated the system of free delivery in Omaha, and was at all times the accommodating, efficient, and pleasing right hand man of the office.

Owing to the split in the republican party the change of postmaster in 1878 necessitated a change in the higher officials of the department. It was at this time that he returned with renewed zeal to his first love, and henceforward devoted himself to horticulture and agriculture in all their branches. A long hoped-for wish was realized when he was made superintendent of tree planting on the U. P. railway. It had always been a pet theory with him that to plant trees along the iron highways would obviate the necessity of snow sheds and fences, besides furnishing the railroad company with ties. Through insufficient appropriations he was never able to put his plans in full operation, but a beginning is made that will yield abundant fruit. This has not been fully realized as yet, but in years to come the parks at the stations of the great overland route will be his monuments.

Mr. Allan was very active in collecting for Union Pacific displays at our state fairs, and for exhibits at eastern and western agencies. It was on one of these tours that a runaway accident resulted in a double fracture of the leg. From this he never fully recovered his physical strength.

In the winter of this year he was a delegate to the American Agricultural Association, convened at Chicago. He delivered an address on the "Meat Resources of Nebraska," which is thus commended by the *Inter-Ocean*:

"Proof is multiplying that the work of Mr. J. T. Allan before the late session of the American Agricultural Association was about the only bright spot in a dreary and sterile waste. Mr. Allan is receiving much well-earned praise from the leading agricultural journals of the country."

On his return he was principally employed in writing articles on the advantages of Nebraska. He is the author of five pamphlets published by the Union Pacific. Two hundred thousand copies were circulated. These, with innumerable newspaper articles, undoubtedly award to Mr. Allan the honor of causing more immigration to the state than any other man.

In the winter of 1882 he spent some time in the mountains collecting specimens of building stone on the lines of the Union Pacific for the Smithsonian. The cold and exposure of such a journey at this season of the year was more than his constitution could bear, and from that time his energy seemed to desert him. It was the last railroad business in which he was engaged.

January, 1883, he was elected secretary of the State Horticultural Society, which office he held at the time of his death. In 1884 he published a pamphlet of 67 pages, on the "Forests and Orchards of Nebraska," which received the highest praise from prominent horticulturists and the press. In February, 1885, he joined the Nebraska delegation at the New Orleans Exposition. He was an indefatigable writer, never lacking for words, and writing with ease and accuracy.

In addition to the articles published by the Union Pacific, Mr. Allan wrote many addresses and essays. In 1873 a committee consisting of Messrs. Thompson, Aughey, and Benton, appointed to pass upon the essays on the timber question, reported in favor of awarding the premium to Essay No. 4, written by James T. Allan, and henceforward known as the Prize Essay. Four thousand copies were distributed, and it was also published in the Washington Agricultural Report. Others were, "Forest Culture," "Diversified Agriculture," "Evergreens and Hardy Plants of the Rocky Mountains," "Nebraska and its Resources," "Nebraska and its Settlers," "Corn is King," "Meat Resources of Nebraska," etc., etc. He was a valued correspondent of the *American Journal of Science and Arts*, *Silliman's Journal*, *Boston Advertiser*, *Chicago Inter-Ocean*, and *Tribune*, *Edinburgh Journal of Forestry*, *Rural New Yorker*, *Country Gentleman*, *Breeders' Gazette*, and many others.

Mr. Allan was vice president of the State Board of Agriculture for 1871-2, vice president of the State Horticultural Society, 1871, president of the same, 1873-4-5, and secretary, 1883-4-5.

In September, 1873, Messrs. Allan, Furnas, and Masters repre-

sented the state at the Pomological Exhibition in Boston, where Nebraska was awarded the Wilder medal for the finest display. The previous year he, with Mr. Morton, was appointed delegate to the National Agricultural Convention in Washington.

In 1875 Mr. Allan attended the convention of the American Pomological Society in Chicago, where, as president of the Horticultural Society, he had the honor of receiving another medal awarded to Nebraska. At this meeting the American Forestry Association was organized. To quote from a published report: "J. T. Allan of Nebraska believed that the time had come for a national forestry association." He was honored with opening the meeting, and the presidency tendered to him. With characteristic courtesy and modesty he declined in favor of an older forester, J. A. Warder, of Ohio, but was appointed chairman of the committee on statistics to report at the Centennial.

In January, 1878, as a recognition of valuable services for years in furnishing essays on various subjects, statistics, and other information, Mr. Allan was elected a life member of the State Horticultural Society.

He was also a charter member of the State Historical Society, being one of the committee on constitution and by-laws; of the American Forestry Association; secretary of the Nebraska Academy of Science, and an honorary member of the Massachusetts Horticultural Society.

He was active in the formation of the republican party in Nebraska, and was among the first to draw the party lines. Though always maintaining an interest in the politics of the state, they never absorbed his attention. It was in the horticultural annals that he aspired to have his name, and in this branch of industry that he most benefited his fellow-men.

Although Mr. Allan's health had been failing for some time, his condition did not excite serious apprehension. Thursday, November 19, 1885, he spent at his home, reading his favorite author, Sir Walter Scott, and attending to his correspondence, although not able to answer the same. Toward night he seemed to grow better, and was soon quietly sleeping.

Friday dawned with all the warmth and promise of a day in May. Becoming restless, Mr. Allan rose and read for some time, and wishing to go out doors, left his book open, and his glasses beside it.

He was soon followed by his daughter Mary, but the dread messenger had already come, for

"When the sun in all his state
Illumed the eastern skies,
He passed through glory's golden gate
And waked in Paradise."

This closed the earthly existence of one gifted with the strength of a man and the tenderness of a woman, of one who never intentionally, by word or deed, injured a fellow-man. Generous and modest to a fault, his deeds were never blazoned before the public.

"He was a man of large intelligence and conspicuous usefulness. Always in advance of a distrustful public, he lived to see his most sanguine views and predictions realized. Few men will be more missed from the influential circle in which he moved."

When the affairs of the present shall engross the coming generations of a great and prosperous commonwealth, many of the men who "helped to plant civilization, and who shook hands with the Indian before he had been pushed away from the home of his fathers," will be forgotten. But when the name of James T. Allan is forgotten by men, God's lesser creatures—the trees which he planted and caused to be planted—will continue to teach the lesson he taught, "Plant trees, plant trees."

JAMES S. ALLAN, father of James T. Allan, born in Glasgow, Scotland, November 5, 1805. Jean Bowman Allan, mother of James T. Allan, born in Richmond, Yorkshire, England, about the year 1797. They were married at Raby Castle, and sailed at once for America. James Thomas Allan, born in Pontiac, Oakland Co., Michigan, Saturday, September 30, 1831. Elizabeth A. Budington, born in Perry, Wyoming Co., New York, July 5, 1833. The children are, Jean Marion Allan, born in Pontiac, Oakland Co., Michigan, July 2, 1855; Grace Isabel Allan, born in the mission house, Bellevue, Sarpy Co., Nebraska, August 9, 1857; Mary P. Allan, born in the mission house, Bellevue, Sarpy Co., Nebraska, October 21, 1859; Jessie, born in the Herndon House, Omaha, December 15, 1861; Donald Budington Allan, born in the Herndon House, Omaha, August 27, 1866; Blanche Ayers, born in Omaha, December 16, 1869; Elizabeth Peck Allan, born in Omaha, October 21, 1872.

Grace Isabel Allan and A. R. Bradley were married in Omaha, April 25, 1878. Her present residence is St. Libory, Howard Co.,

Nebraska. Grace Virginia, Elizabeth Budington, and Allan Read are the names of their three children.

Jean Marion Allan and W. R. Johnson were married in Omaha, June 11, 1879. Her present residence is Omaha. Her three children are Robert, Erwin, and Donald Allan Johnson.

JOHN McMECHAN.*

Died, November 3, 1883, at "Headwood," the family residence, in Otoe county, near Nebraska City, Nebraska, of the infirmities incident to old age, John McMechan, aged 83 years and 23 days. The McMechan family is of Scotch origin, and lived in Ayreshire, but being active and leading members of the "Solemn League and Covenant," was forced, by religious persecution, to leave Scotland in 1650, and settled in the county Antrim, in Ireland, near "White Abbey," five miles from the city of Belfast.

John McMechan, the father of the subject of our sketch, was a wealthy land-owner, and the family estate in Ayreshire and Antrim county numbered several thousand acres of grazing and tillable lands. His wife was a Miss Mary Ballentine, daughter of David Ballentine, of Ayreshire, and grand niece of Lord John Ballentine, a cousin of Mary Queen of Scots. John McMechan was born on October 10, 1800, at the family homestead "Carmonia," near the "White Abbey," five miles from Belfast. He had four brothers and five sisters. He survived all of his brothers and two of his sisters. In 1810 the family came to America and settled in Belmont county, Ohio, eight miles from Wheeling, Virginia, and his father in the same year purchased the "Indian Springs" farm, so called from the springs at which the Indians camped previous to attacking Wheeling.

His parents being Covenanters, were remarkably reverent in their observances of the teachings of divine truth, and he being early impressed with them, grew up with an abiding sense of duty and right, and a strong hostility to false pretenses. He received a good and thorough common school education, the best to be had in those days in that new and sparsely settled country. He also learned the lessons

*The biographies of John and Matilda McMechan were prepared by their son, A. C. McMechan.

of a high moral culture and of industrial habits, constituting the basis of integrity and fidelity to duty which marked his career. At the age of seventeen he engaged in mercantile pursuits, for which he was by nature admirably fitted. When twenty-one years of age he moved to Mount Pleasant, Ohio, and engaged in merchandising, where he remained until 1826, when he went to Zanesville, in the same state, and on the 24th of April, 1827, he married Miss Matilda Ballentine, the second daughter of David Ballentine of that town.

This happy union was blessed with a family of six sons and four daughters, of whom one son and one daughter died in infancy. During his residence in Zanesville he engaged in the flouring mill and mercantile business. In 1842 he removed from Zanesville to Glasgow, Mo., where he continued merchandising, and at this place he built and conducted the first packing house on the Missouri river. In 1846 he removed his family to St. Louis, Mo., where he embarked in the wholesale grocery business and continued until the summer of 1853, when he closed out his business in St. Louis.

In September, 1853, he removed to Council Bluffs, Iowa, then the principal outfitting and starting point for Utah and California emigrants, and there he engaged in the wholesale grocery and outfitting business, and in freighting across the plains to Salt Lake City, Utah. His was the first exclusively wholesale grocery store in Council Bluffs, Iowa.

When Nebraska was opened for settlement in 1854, he was offered a portion of the town site of Omaha, but not liking the social element then predominating, he declined, but purchased several lots on the original town site, and for him was built one of the first business houses erected in Omaha.

He closed out his business and sold his real estate at Omaha and Council Bluffs in the autumn of 1854, came to Nebraska, and became one of the original proprietors and one of the founders of Kearney City, which is now a part of Nebraska City, in Otoe county, Nebraska. He surveyed and laid out the town site, and when the land was subject to entry entered the same in the land office at Omaha. In the autumn of 1854 he purchased of Hall, Platt & Co. the steam saw mill at Civil Bend, Iowa, and in the spring of 1855 moved the same to the new town in Nebraska, it being the first steam saw mill erected in that place. On April 5, 1855,

the family removed to Kearney City, where the subject of this sketch built the first frame dwelling-house erected in that town. In 1857 he purchased of Ephraim White a farm two miles south of Nebraska City, in Otoe county, where the family has resided since 1863, and which when purchased was named "Headwood." Soon after buying this farm Mr. McMechan set out a fine orchard, which was one of the first planted in that part of the territory.

Mr. McMechan was a man of indomitable energy, and for him were built the "Planter's House," the first and only hotel in Kearney, —now a part of Nebraska City, Nebraska—the business houses of of T. H. & L. C. Winn & Co., Kalkman & Wessells, and the hardware store of D. B. McMechan, the first hardware store in Kearney or Nebraska City, and a large number of dwellings. In 1820 he united with the Associate Reformed Presbyterian (now United Presbyterian) church, in St. Clairsville, Ohio, presided over by Rev. Samuel Findley, D.D.; and was a trustee and ruling elder for seven years in the United Presbyterian church in St. Louis, Mo., during his residence in that city. He was an earnest, energetic, zealous, consistent, and generous Christian; exemplary in all the duties of religion, and putting in practice his religious beliefs, always encouraging churches, religious and charitable societies; and one of his first acts after settling in Nebraska was to establish a Sabbath-school under the auspices of the church of which he was a working member; this was the first denominational Sabbath-school established in the territory. At the same time Rev. R. H. Allen, of Mount Pleasant, Iowa, came to Nebraska by invitation of Mr. McMechan and held divine service in Kearney—now one of the wards of Nebraska City—and preached the first sermon delivered in the new town.

The subject of this sketch possessed a truly modest, retiring, cheerful, quiet, contented, charitable, and unassuming disposition; his mind was clear and his judgment had much weight, and these qualities, together with his Christian life, won for him the highest esteem of all who knew him. He possessed that stability of character which is the distinguishing mark of his countrymen. In business he was active, prompt, and punctual. He gave often and lavishly to the poor and needy, and no appeal in behalf of suffering humanity ever passed him unheeded, and although a Presbyterian in his beliefs and views, he gave liberally to all denominations wherever he lived. The

poor of this section never knew a better friend. Socially he was agreeable, entertaining, and hospitable to a fault. His peculiarly happy temperament continued to the last. His perseverance in active well-doing was not ostentatious, but fruitful and unceasing. As a citizen and town proprietor he was solid and substantial, just, obliging, and honorable, courteous and accommodating; heartily engaging in every movement which seemed calculated to benefit the community or society at large. He gave liberally of his property and means to everything which tended to the advancement of religious or public good, to the encouragement of men struggling in business, and to those starting in life, or to the unfortunate and deserving. In friendship his attachments were sincere, strong, and confiding. He lived to see a large, prosperous, and enterprising town grow, aided by his own work, where had been dense woods and a wilderness; fruitful fields and prosperous villages where naught but the bare prairies were to be seen when he came to the then infant territory. In his old age he could not boast of worldly success, but enjoyed a moderate competence, and he gathered around his Thanksgiving table near a score of children and grandchildren who looked up to him with reverence and affection. Of his life and its successes let it be written: "Mark the perfect man and behold the upright, for the end of that man is peace." When his evening came the clouds in his sky were golden. The setting sun of life lighted them up with a radiance that heralded a blessed immortality.

MATILDA McMECHAN.

Died, February 5, 1886, of the effects of a fall consequent to paralysis, at "Headwood," the family residence in Otoe county, near Nebraska City, Nebraska, Mrs. Matilda McMechan, relict of John McMechan, aged 78 years 10 months and 23 days.

Matilda McMechan, the eldest daughter of David Ballentine, and a direct descendant of Lord John Ballentine, was born March 12, 1807, at "Headwood," the family estate near Belfast, Ireland.

In 1814 the family came to the United States and settled in Ogdensburgh, New York, where she and her only sister, Agnes ("Nancy"),

and her four brothers, William, John, Henry, and David, the latter twins, were educated. When she was 17 years of age the family removed to Zanesville, Ohio, and there, when 18 years old, she united with the United Presbyterian church. She was united in marriage with John McMechan, April 24, 1827, at Zanesville, Ohio. The family moved to the West in 1842, living at Glasgow, Mo., until 1846, then removed to St. Louis, living there until 1853, and in the autumn of that year moved to Council Bluffs, Iowa, and in October, 1854, they came to Nebraska territory, settling in Kearney City, Otoe county, which Mr. McMechan laid out, and which to-day is part of Nebraska City.

Mrs. McMechan had ten children—six sons and four daughters. Of these, two walked before her through the valley of the shadow of death. John and Rachel died in infancy. The eight living are: Mary Jane (Mrs. Alex. E. McConnell, in New Orleans, La.); Annie Clarke, residing at "Headwood," the family residence in Otoe county, Neb.; David Ballentine, in Kansas City, Mo.; John Henry, living at "Headwood," the family residence in Otoe county, Nebraska; Andrew Charles, Lieut. U. S. Navy; Matilda (Mrs. S. H. Calhoun, in Nebraska City, Neb.); William Ballentine, and Edwin Eldridge, in Kansas City, Mo. Two of her brothers survive her: William Ballentine, of Kansas City, Mo., and Henry Ballentine, of Mariposa county, Cal. Her faithful and christian husband answered the call of the death angel November 3, 1883, aged 83 years and 23 days.

She was possessed of an amiable, loving, retiring, and charitable disposition; gentle in manners, kind and sympathetic, refined and intelligent to the highest degree, and endowed with excellent judgment, active and efficient in every good work. As a christian woman, a christian wife, and a christian mother she was a model, and truly worthy of imitation. While she "rests from her labors," by her life we may hear her saying to us in words of inspiration, "Be diligent that ye may be found of Him in peace without spot and blameless." When she went to Council Bluffs, Iowa, there was no bible class in the Presbyterian Sabbath-school there, but she soon organized one, and taught it during her residence in that place.

When the family removed to Nebraska, she, with her husband and family, organized in Kearney City the first denominational (United Presbyterian) Sabbath-school in the then infant territory, and she

taught the first bible class. In 1877 she and her husband united with the Presbyterian church at Nebraska City, there being no U. P. church there.

For three years before her death she was unable, because of physical weakness and failing sight, to attend church.

While rising from her seat in her sitting room, on the afternoon of January 19, 1886, to receive some visitors, she fell, fracturing the right thigh bone, the fall being caused by a paralytic stroke of the lower limbs. She lingered until the afternoon of February 5, bearing her suffering with great fortitude and with full possession of all her reasoning faculties, and conscious until a few hours of her death, which she, like a good and true christian, calmly awaited, sleeping quietly and sweetly away without pain or struggle.

HENRY MARTYN ATKINSON

Was born in Wheeling, Virginia, September 9, 1838. His parents moved to Licking county, Ohio, when Henry was five years old. He was educated in Connecticut, at Denison University. He came to Brownville, Nebraska, in the spring of 1857. His first work in Nebraska was at the carpenter business. He then taught school, and afterwards read law in the office of E. W. Thomas, and was admitted to the bar in 1861. In 1862 he entered the military service of the United States, as adjutant of the 2d Nebraska Cavalry. Afterwards he was assistant provost marshal of the district of Nebraska. Was mustered out of service at Omaha, in 1864, resuming the practice of law. In 1867 he was appointed register of the U. S. Nemaha land office at Brownville. From 1871 to 1873 he was engaged in railroad construction from Brownville west. In 1873 President Grant appointed him a member of the Mexican border commission, and afterwards U. S. commissioner of pensions. In 1879 he resigned that position, and was appointed U. S. surveyor general at Santa Fe, New Mexico, serving in that position for two terms, after which he engaged in the practice of law, until his death, October 17, 1886.

In 1865 he was married to Miss Kate, daughter of Ex-Senator T.

W. Tipton, of Brownville. Four children were born of this marriage; one only, Miss Alice, is living. Mrs. Atkinson died in the fall of 1872. In 1881 Mr. Atkinson married Miss Ada J. Irwin, of Lincoln, Neb., who survives him. Three children were born of this marriage. Two only are living.

J. L. MITCHELL.

Judge J. L. Mitchell, while not of the early settlers more particularly aimed to be embraced in this volume, on account of his official position is entitled to be recorded at this time.

He was born at Belleville, Hendricks county, Ind., October 18, 1834. He went to Sidney, Iowa, in 1856, and in 1858 there began the practice of law. In 1862 he assisted in raising the 29th Iowa Volunteer Infantry, for the suppression of the rebellion, being at that time a member of the state legislature. He became captain of Company E, same regiment, and served until August, 1864, when he was mustered out of service on account of wounds received at the battle of Jenkins Ferry, Ark. In 1875 he came to Nebraska City, and four years after was elected to the legislature, where he served as chairman of the committee on railroads. When the additional judgeship of the second judicial district was created, he was appointed by Gov. Dawes, in 1885, judge to fill the position. The following November he was elected to the same position, which he held at the time of his death. He died at Des Moines, Iowa, February 25, 1886, where he had gone to attend a reunion of the ex-members of the legislature. He dropped dead of apoplexy of the heart, while addressing the reunion. He was married in August, 1861, at Sidney, Iowa, where his first wife died in 1880. Two daughters were born of the first marriage. He was married again in Indiana, in 1884. One child, a son, was born of the second marriage.

In politics, the judge was a republican; in religion, a Presbyterian.

THOMAS B. EDWARDS

Was born near Livingston, Overton county, Tenn., February 16, 1820. In 1828 he went to Illinois. In 1883, to Iowa, where he married Miss Rebecca Ashpaugh. Then went to Oregon, Mo., and in 1854 came to Brownville, Neb. He built the first house at Brownville, and his wife was the first white woman in Brownville. He resided in Brownville and vicinity for thirty-one years. He was a minister of the Christian denomination for thirty-five years. He died suddenly, September 23, 1885, at Bradshaw, Neb., while on his way to Sherman county. His wife and seven children survive him.

STERLING PERRY MAJORS

Was born near Franklin, Simpson county, Kentucky, April 27, 1819. Worked on a farm until sixteen years old. Then engaged in the brick and stone mason trade. In 1837 went to West Point, Lee county, Iowa, where he remained until 1838, when he removed to Jefferson county, in the same state. In 1850 he went to Liberty, Iowa, where he engaged in mercantile business. Here he continued until 1857. From there he removed to a point on a line between Missouri and Iowa, where he remained only six months. From there he came to Peru, Nemaha county, Nebraska. He was admitted to the bar and practiced law at Fairfield a year or more before coming to Nebraska. He continued in the mercantile business until 1866, when he engaged more particularly in stock raising. Politically he was originally a democrat, up to the formation of the republican party. He was president of the first Nebraska constitutional convention. In 1871 he was a member of the legislature from Nemaha county, and the same year was again a member of the constitutional convention. Through his efforts in the legislature, the state normal school owes much of its present prosperous and permanent condition. From his youth he was a member of the Methodist church.

At the age of twenty years he was married to Miss Annie Brown, also of Kentucky. Eleven children were born of this marriage, five of whom are living. His two sons, Thomas and Wilson, served in the Union army during the late war.

He died July 16, 1886, at Ainsworth, Brown county, Nebraska, where he was visiting his son John, who, with his father, at the time owned a cattle ranch.

WILLIAM D. GAGE.

Rev. William D. Gage was born in Pennsylvania, Dec. 5, 1803. Was an orphan at six years of age. Learned the shoemaking trade, at which he worked until twenty-one years of age. At that age he became a Methodist minister, remaining in active service until 1856. The date of his arrival in Nebraska we have not been able to obtain. He was chaplain of both branches of the first Nebraska legislature in 1854. During his ministerial service he was a member of the New York, Illinois, Arkansas, Kansas, and Nebraska conferences. He was the first Methodist minister to preach in Nebraska. He married Miss Sarah Schoonmaker at Flatbush, N. Y., New Year's Day, 1832. Seven children were born to the marriage, three daughters living. He died at the residence of his daughter, Mrs. Bailey, at Weeping Water, Neb., Nov. 20, 1885, aged near eighty-two years. During his life he was an active, useful man, in and out of his profession. His daughter, Mrs. Bailey, to whom we are indebted for his biography, writing us, closes with this beautiful sentence referring to her father: "When the waters of the dark river of death were laving his feet, as he left the shore of time, he called his loved ones around him and bade them farewell; then, with a shout of joy for the mercies of his Redeemer, he plunged into the turbulent waters, which had no terror for him, and ascended the shore on the other side, to meet those 'gone before.'"

HARRISON JOHNSON

Was born near Dayton, Ohio, Nov. 18, 1822. Married Miss Minerva Hambright, in Montgomery county, Illinois, in 1843. From there he went to Columbia, Mo., and from there to Pike county, Illinois. In 1854 he came to Omaha, Nebraska, where he resided until the

spring of 1880, when he removed to Brown county, Nebraska, near Johnstown, where he died October 6, 1885. The family consisted of ten children—seven sons and three daughters.

Mr. Johnson, being one of the first settlers in the territory, an active participant in all that was going on, became well acquainted with its history. He published the first "History of Nebraska;" also a number of other volumes. He was a deep thinker, good scholar and writer. He was widely and favorably known all over the state, in the advancement and development of which he always took a lively interest.

GEO. B. GRAFF.

Dr. Geo. B. Graff was born at Hagerstown, Maryland, May 10, 1816. October 31, 1844, he and Miss Margaret Amanda Stanment were married at Princeton, Indiana. The family came to Dakota City, Nebraska, April, 1859, the doctor having been appointed by President Buchanan to the land office in that place. At the expiration of his term of office he went to Omaha, where he established himself in the hardware business in partnership with Mr. R. C. Jordan, under the firm name of Graff & Jordan. Subsequently he engaged with Mr. J. N. H. Patrick in the manufacture of brick. Later still he opened a life insurance office, becoming president of a western branch.

For the last ten years of his life he had been interested in Wyoming oil lands, and during the last five years devoted himself to their development. About two weeks before his death he returned from a final test which proved that his faith in the enterprise was fully realized.

He had four children, of which two, a son, Robert, and a daughter, Fannie, died, while his wife and two other sons, Joseph, now in Omaha, and John, at Rawlins, Wyoming, survived him. In all his life Dr. Graff was a tireless and energetic worker, fitted for it, it seemed, by nature. He was of stout build, heavy and rugged, with every indication of robust health. He was a kind-hearted and generous man, beloved by his family and honored by his friends.

FRANK J. NORTH

Was born in Tompkins county, New York, March 10, 1840. He died at Columbus, Nebraska, March 14, 1885. He was married to Miss Mary L. Smith, of Bristol, Conn., December 25, 1865. Mrs. North died February, 1883. The only child, a daughter, Stella, survives.

Frank North came to Nebraska in the spring of 1856 with his parents. His father was a surveyor, and while so employed perished in a terrific storm near the Papillion river, March 12, 1857. Frank was thus left early in life to assume the duties and responsibilities of maturer years. He discharged the task well. After completing the unfinished work of his father he moved to Florence and soon after to Columbus, this state, where his sturdy pioneer work was continued in various enterprises, mostly farming and freighting. Through his familiarity with the Pawnee language, acquired in his frequent intercourse with the Indians, Mr. North obtained a situation as clerk for the agent of the Pawnee reservation, which he kept until August, 1864, when he began the organization of the company of Pawnee scouts, who were enrolled for ninety days. After completing the organization of the scouts he went out with them under Gen. Samuel Curtis, and served to the expiration of the time as first lieutenant. Gen. Curtis was so favorably impressed with the company and its management that he procured unsolicited a captain's commission to Lieutenant North before they parted. The newly promoted officer immediately set to work recruiting a company of Pawnee scouts, joining, with them, Gen. Conner at Julesburg, thence proceeding upon the Powder river campaign. In this service Capt. North distinguished himself anew. In 1866 he, with the rest of the volunteers, was mustered out. Returning then to Columbus he was appointed trader for the Pawnee agency, but remained only until the following spring, when he was again called to military duty as a major of a battalion which he organized himself, doing duty along the line of the Union Pacific railway every season until 1871, when his troops were mustered out, and the major became post guide and interpreter, serving in this capacity at several military stations. Under personal instructions from

General Sheridan, Major North went in 1876 to the Indian territory and enlisted 100 Pawnee Indians for service in the department of the Platte, where they participated in the capture of Red Cloud and his band, and subsequently went with General Crook in the winter campaign of 1876-7. Soon after he came to Omaha and formed a co-partnership with William F. Cody under the firm name of Cody & North, stockdealers and producers, owning several thousand head of cattle raised mostly in Western Nebraska.

Intrepid, self-reliant, versatile, a true man and a loyal friend, Frank J. North was a specimen of the pioneer who lends quality to a new commonwealth and leaves an impress upon its history which death cannot wipe out.

MARIA TIERNAN MURPHY

Was born, at Martinsburg, Va., August 9, 1800. Her maiden name was Tiernan. She was married to John Murphy, Wellsburg, Va., and died at Omaha, March 8, 1885. She came to Omaha in 1855 from Keokuk, Iowa, with her daughter, who had just married Governor Cuming, her own husband having died on shipboard while returning from California in 1839. She made her home with Mrs. Cuming ever after, and was never out of the territory or state from the time she came. Her son Michael came here in the same year, and her son Frank, the president of the Merchant's National Bank, and her daughter, who married C. W. Hamilton, the banker, arrived in Omaha a year or two later, being in the East at school at the time of the removal of their mother and sister to Omaha. Thus in its very infancy Nebraska was blessed, through the presence of Mrs. Murphy, with the refining and elevating influence that she and her family helped to impart.

ANTOINE BARADA.

Among the many noted Nebraskans gathered to their fathers in the past few years, there were none whose deeds of bravery and adventurous life compare with that of Antoine Barada, who died during the summer of 1866 at the little town which bears his name in Richard-

son county, this state. In many respects he was a remarkable man, and his varied career as chief, captive, trader, scout, and pilot deserve more than passing note.

Antoine Barada was born in 1807 near what is now known as Fort Calhoun, in Washington county. His father, Michael Barada, was a white man and represented the Omaha tribe of Indians at the conference which drafted what is known as the treaty of Prairie du Chien in 1836. His mother was a full-blooded Omaha Indian woman. Antoine had scarcely reached his seventh year when he was captured by the Sioux in one of their forays on the Omahas, and was taken to the camp of the former. His extraordinary physical development at that age made him an object of curiosity to the Sioux and he was spared the fate of his less fortunate companions. Whenever the traders of the early days struck the Sioux village Antoine was kept a close prisoner and every precaution taken to prevent his escape. Two years were thus spent in captivity before opportunity for escape presented itself. While playing some distance from the village the cry of "the traders" was raised. Young Antoine saw his chance for freedom, and fled to the traders, who, after much parleying, purchased his release for ten ponies. Shortly after returning to his parents, Colonel Rogers, of the United States army, secured their consent to take the boy and place him in the military academy. When the colonel and his protege reached St. Louis they were met by Madame Mousette, Antoine's aunt, who took the boy to her home and prevailed upon him to hide and not go to the academy. She was successful, and the colonel was obliged to proceed east without the young Omaha.

The boy remained with his aunt in St. Louis until he reached manhood, employed in various industrial pursuits. During this time he had developed extraordinary muscular powers. Being employed by the firm of Whitnell & Coats as superintendent for their quarries, he had frequent opportunities to prove his wonderful strength. One of his feats was to lift clear eighteen hundred pounds weight.

In the year 1832 Antoine returned to his tribe to visit his parents and the scenes of his childhood. He remained with his tribe for several years, and then returned to St. Louis, where he was married to Josephene Veien, in the year 1836. In 1849 he went overland to California, in company with Capt. Madison Miller and Wilson Hunt, of St. Louis, and remained there six years, returning by way of

Panama and New York. In his journey across the plains and during his stay in California he met with many adventures and incidents. One night he had camped in a small valley. In the morning while going to the little stream for water something attracted his attention up the stream. He followed up, and directly saw a man in the top-most limbs of a small tree, with a huge grizzly bear at the base making the splinters fly with teeth and claws. The old man, quick to perceive that it was only a matter of time as to the bear getting her game, quickly drew up his gun and killed the bear, and looked at the man, expecting to see him quickly descend the tree, but the poor fellow never moved. He was completely paralyzed with fear and was unable to descend. "Well," says Antoine, "if you won't come down, I guess I will have to fetch you down," and up the tree he went after his strange acquaintance. He took him in one arm, and in that way descended safely to the ground with his man. He carried him back to his camp, finished preparing his breakfast, which he had before begun, induced his new friend to partake, stayed in camp a day or two nursing him, and after the poor fellow's nerves had recovered, parted with him with the advice, "When you have to take to a tree, pick one a little larger than that one, and don't drop your gun."

After his return from California, his relatives, hearing of his return, sent word for him to come back to his tribe again. He visited his people again and remained with them a few months, then located in Richardson county, Nebraska, opened a farm, and was among the first to settle that portion of the state.

The country at that time abounded in game, and Antoine's table was always supplied with game in its season. Here he raised a family consisting of three boys and four girls—Michael, William, and Thomas Barada, Mrs. Fulton Peters, Mrs. John Dupree, Mrs. William Provost, and Mrs. John Khun, all of whom survive him.

In 1875 Barada, in company with his son-in-law, Fulton Peters, and a number of his old neighbors, went to the Black Hills, but returned the same year, after many adventures.

During his residence in Richardson county Antoine had frequently visited his tribe, and had always been welcomed and considered one of them. In his last years he had a strong desire to join his tribe, but on his declaring his wish to return, and making his application for his allotment, under the ruling of special United States Agent A.

C. Fletcher and United States Indian Commissioner H. Price, he and his family were refused participation in the allotment of the Omaha lands. This was a source of great sorrow and regret to the old gentleman in his last days.

During his last illness he was patient, uncomplaining, and perfectly resigned; he was well aware of his approaching end; he received the last sacraments of his church and died steadfast in his faith, surrounded by his devoted family

Thus died Antoine Barada, whose kind words, good deeds, and generous acts to friends, acquaintances, and strangers are known and appreciated by hundreds who are scattered from the Missouri to the Pacific. He was buried in the Catholic cemetery, situated just east of the little village of Barada, followed to his last resting place by a large concourse of relatives and friends.

MRS. ELIZABETH A. HAWKE

Was born near Hamburg, Germany, August 12, 1833, and died at Nebraska City, Nebraska, March 27, 1885. Her maiden name was Elizabeth A. Hemme. Her parents came to America in 1840, first to St. Louis, Mo., and in 1843 to Hemme's Landing, on the Missouri river, Atchison county, Mo. April 2, 1851, she and Robert Hawke were married at Rockflat, in the same county. Mr. and Mrs. Hawke came to Nebraska City in April, 1859. Seven children were born of the marriage, four of whom are living, and with the father still reside in Nebraska City.

PETER HUGUS.

PREPARED BY ROBT. W. PATRICK, ESQ.

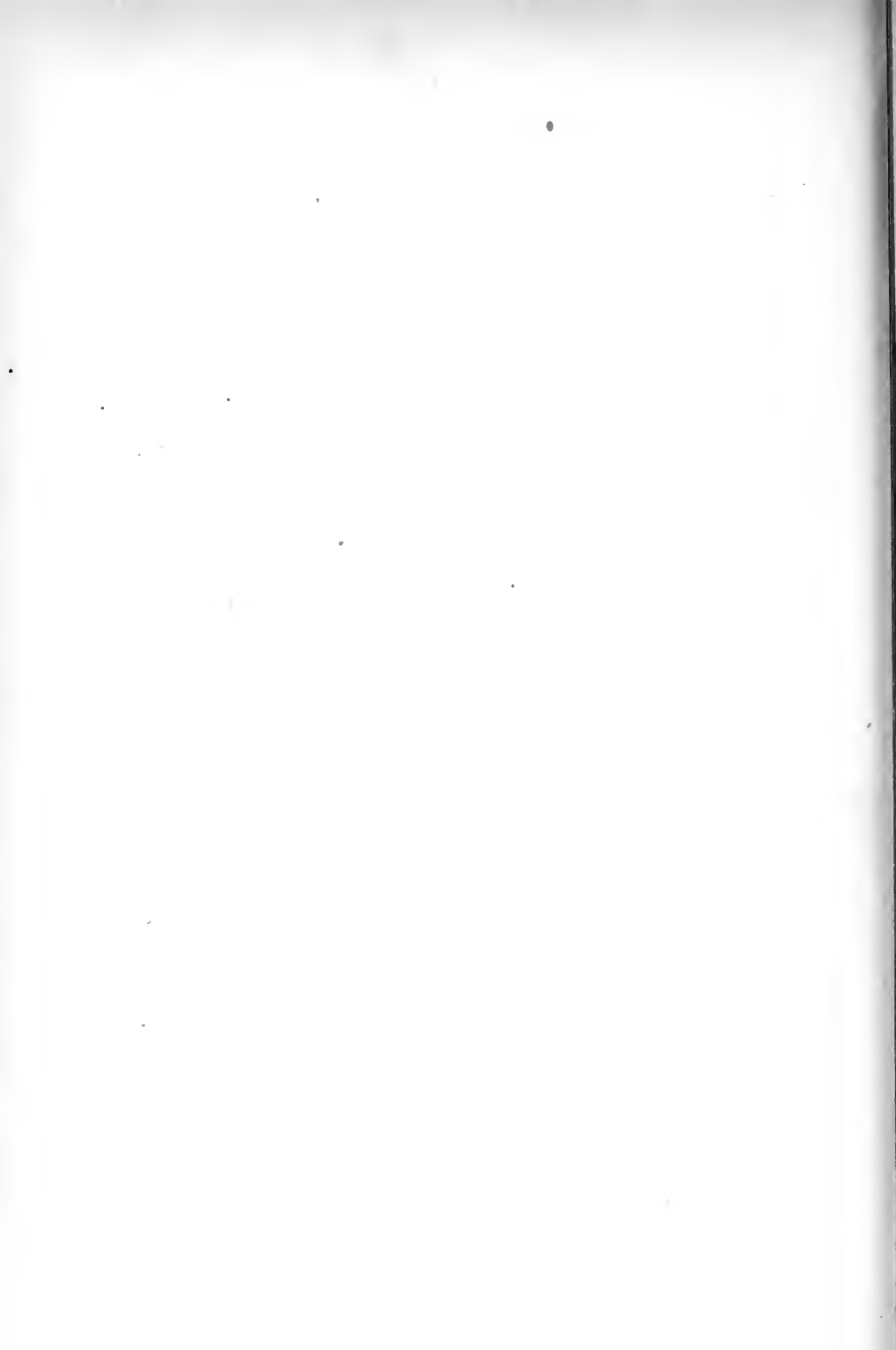
Peter Hugus was born at Somerset, Pa., November 7, 1806. Here his boyhood was passed, his early education being obtained at the schools in the vicinity. Among his early acquaintances was Jeremiah Black, who afterwards obtained world-wide fame as a lawyer, and who as an elder schoolmate used to help his younger companion

over the hillocks on the path of learning. In his twenty-third year he moved to Pittsburg, Pa., and entered the employment of John McCormick, a dry goods merchant of that city, whose daughter Eliza he married October 7, 1832. His wife was the half sister of Col. John Patrick, another of the early settlers of Omaha.

On the death of his father-in-law, Peter Hugus succeeded to his business, and for many years conducted one of the largest retail dry goods stores in the city of Pittsburg.

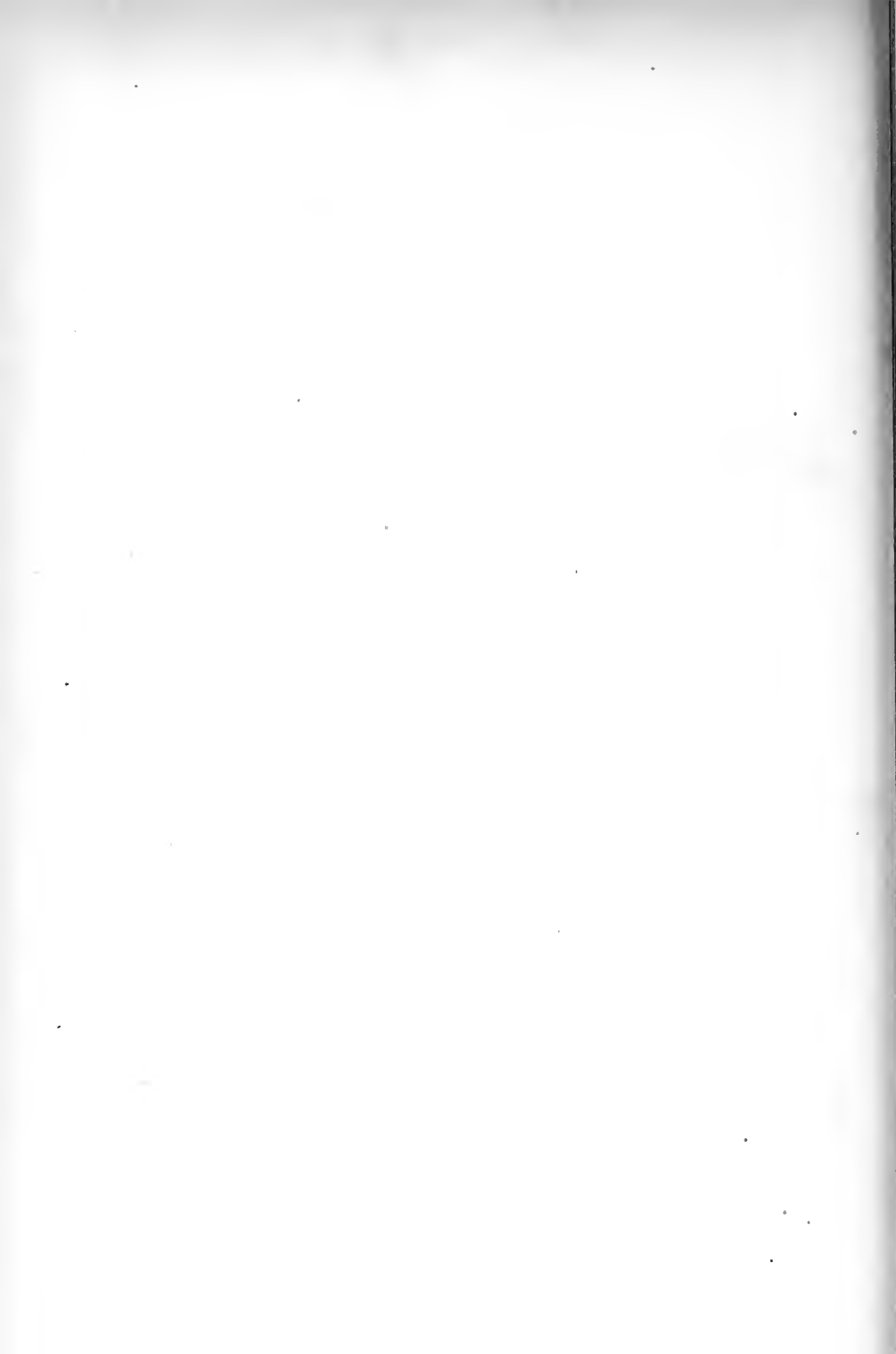
In 1841 he gave up his business in Pittsburg, removing to Canton, Stark county, Ohio, where he resided a few years, engaged in mercantile business. He then moved to Massillon, Ohio, in order to assume the management of a large co-operative store. This he conducted until the year 1857, at which time he removed to Omaha, which city he made his home until his death. He was county clerk and recorder in 1861. At the expiration of his term he became chief clerk of the Hurford hardware house, which position he maintained for fifteen years, during many changes of its ownership, until the house was closed, when the increasing infirmities of old age prevented him from engaging further in active business. He was for eleven years senior warden of Trinity church, Omaha, and died on the 19th day of November, A.D. 1885, at the age of 79 years.

Such is a brief and imperfect sketch of the life of one of the early settlers of Nebraska. It would be difficult to convey to those who knew him not, any idea of his personality. Quiet in his manner, earnest in his christianity, upright in his business relations, enjoying life as he found it, he was a loving and kind husband, an indulgent parent, and a true and steadfast friend.



III.—PROCEEDINGS.

SECRETARY'S RECORD AND REPORTS OF OFFICERS.



ANNUAL SESSION, JAN. 13-14, 1885.

JANUARY 13.

The society met pursuant to the call of the president at 8 P.M., in the chapel of the university building.

Geo. E. Howard appointed temporary secretary. Mr. O. A. Mullon, stenographer, consented to report the proceedings. The president stated that the organization of the society had fallen into some confusion, and that it would be necessary to determine by payment of dues who were active members. Dues were then paid by the following persons, who were informally recognized as members: R. W. Furnas, David Butler, W. W. W. Jones, W. W. Wilson, I. J. Manatt, C. E. Bessey, O. A. Mullon, H. W. Caldwell, J. B. Dinsmore, J. D. Macfarland, and Geo. E. Howard.

The president then proceeded to lay before the society his elaborate report and to give an abstract of its contents. By request of the society, that portion of the report consisting of the autobiography of Father William Hamilton was read in full by the secretary. At the conclusion of the paper remarks were called for, and the invitation elicited interesting comments and reminiscences from Rev. M. F. Platt and J. T. Allan.

Adjourned to meet Wednesday evening in the university chapel.

JANUARY 14.

Met according to adjournment, at 8. P.M.

The first part of the evening was occupied by an address on "The Place of History in Modern Education," by Prof. Geo. E. Howard, of the state university. At the close of the lecture the society proceeded to the election of officers for the ensuing year, with the following result:

President—R. W. Furnas.

First Vice President—J. M. Woolworth.

Second Vice President—E. S. Dundy.

Treasurer—W. W. Wilson.

Corresponding Secretary—Clara B. Colby.

Recording Secretary—Geo. E. Howard.

Board of Directors—Silas Garber, J. Sterling Morton, H. T. Clarke, Lorenzo Crounse, I. J. Manatt.

Report of the treasurer was then read and approved.

The gift of a collection of photographs by Hon. E. P. Roggen was accepted, and the secretary directed to acknowledge the same, with thanks.

By consent of the society, all books and documents of the organization to be placed in the hands of the recording secretary, provided a suitable room in the university building can be secured for their safe keeping.

On motion, all those persons who, on the preceding evening, had paid their dues and subscribed to the constitution and by-laws were elected members of the society. The following additional persons were also elected members:

Geo. W. Post and Edson P. Rich, active members; Alice Fletcher, of Iowa, honorary member.

The following bills were allowed and the secretary instructed to draw orders on the treasurer for the same:

State Journal Co., for printing.....	\$ 3.35
R. W. Furnas, incidentals, 1883 and 1884.....	250.00

Adjourned.

ANNUAL SESSION, JAN. 12-13, 1886.

JANUARY 12, AFTERNOON MEETING.

Met in the university chapel at 3:30, pursuant to call. In the absence of the president—unavoidably delayed by the snow blockade—order was called by the recording secretary, Geo. E. Howard. On motion of C. H. Gere, Chancellor I. J. Manatt was chosen to preside until the arrival of the president.

Minutes of the session of 1885 read and approved.

Election of officers postponed till the evening meeting.

The treasurer, Col. W. W. Wilson, presented his annual report of

the financial condition of the society, which was referred to an auditing committee, consisting of C. H. Gere, Edson Rich, and H. W. Caldwell.

The secretary read a letter from Hon. J. Sterling Morton transmitting, as a contribution to the collections of the society, three autograph letters of men celebrated in the early annals of Nebraska: one from Gen. Cass, of Michigan, dated May 26, 1856, responding to Mr. Morton's solicitations for his assistance in getting a land office established at Nebraska City; one from Gen. James Craig, of Missouri; and another from William A. Richardson, of Illinois, who at its writing was territorial governor of Nebraska.

On motion, a vote of thanks was tendered Mr. Morton for his gift.

The secretary then read two further communications from Mr. Morton: One relative to the discovery of gold at Cherry creek placers, the present site of Denver; and another suggesting the advisability on the part of the state historical society of establishing an arboreal bureau for the purpose of collecting the history of tree planting in Nebraska.

On motion, the thanks of the society were tendered for Mr. Morton's suggestion, and the historic note was placed on file for publication.

A printed pamphlet entitled: "A visit to Nebraska in 1662," communicated to the society by Judge Jas. W. Savage, was presented by the secretary. On motion, the document was filed for future publication in the "Transactions."

A communication from Sam. D. Cox, secretary of the historical and political science association of the university of Nebraska, setting forth the plan of organization and summarizing the work thus far accomplished by that society, was read and placed on file for future use.

Likewise a paper by A. R. Keim, of Falls City, on "John Brown in Richardson County" was presented to the society by E. P. Rich. Ordered filed for publication.

The following named persons were elected active members of the society: S. P. Davidson, of Tecumseh; S. D. Cox and Robert McReynolds, of Lincoln. Gen. C. W. Darling, secretary of the Oneida historical society, Utica, N. Y., Prof. Jesse Macy, of Grinnell, Ia., and Dr. Israel W. Andrews, of Marietta, Ohio, were elected corresponding members.

On motion of R. W. Furnas \$50 were appropriated for the pur-

chase of the first 37 volumes of the "Collections of the Massachusetts historical society."

Adjourned till 8 P.M.

JANUARY 12, EVENING MEETING.

Met pursuant to adjournment. Special reports were read by the president and secretary.

The chief business of the meeting was listening to the carefully prepared paper of Hon. C. H. Gere, on "Nebraska and the location of the seat of government at Lincoln." On motion, a copy of the address was requested for publication.

Hon. S. M. Chapman was elected an active member.

On motion of C. H. Gere a committee consisting of the president, secretary, and Chancellor Manatt was appointed to revise the constitution and by-laws.

On motion, Judge Davidson and Judge Chapman were added to the committee on revision.

The society then proceeded to ballot for officers for the ensuing year with the following result:

President—R. W. Furnas.

First Vice President—Jas. M. Woolworth.

Second Vice President—E. S. Dundy.

Treasurer—W. W. Wilson.

Corresponding Secretary—Clara B. Colby.

Recording Secretary—Geo. E. Howard.

Board of Directors—Silas Garber, J. Sterling Morton, H. T. Clarke, Lorenzo Crounse, I. J. Manatt.

The committee for auditing the treasurer's report submitted the following:

LINCOLN, NEB., January 12, 1886.

To the State Historical Society:

Your auditing committee have examined the annual report of the treasurer for the year ending January 12, 1886, and find the same correct and accompanied by proper vouchers.

(Signed)

C. H. GERE.

HOWARD W. CALDWELL.

EDSON RICH.

On motion of C. H. Gere, voted that the recording secretary be allowed a salary of \$100.00 a year beginning with the official year of

1885; and that the treasurer receive a salary of \$25.00 per year beginning at the same time.

Adjourned till 8:30 P.M., Wednesday.

JANUARY 13.

Met according to adjournment. The following named persons were elected to membership: Judge Samuel Maxwell, of Fremont, Hon. M. B. C. True, of Crete, A. H. Harrington, of Lincoln, and A. R. Keim, of Falls City.

An elaborate paper on "Slavery in Nebraska," drawn from original documents, was read by Edson P. Rich. A vote of thanks was tendered Mr. Rich, and a copy of the address requested for publication.

Following the paper of Mr. Rich, extracts from the Allis Manuscript were read by the secretary.

A letter of regret was read from Hon. Lorenzo Crounse, who had intended to be present but was prevented by the storm.

The committee on revision of the constitution and by-laws reported, recommending the following amendments:

That the "admission fee" be reduced to two dollars, and that the "annual assessment" of two dollars on all active members be discontinued; and that, accordingly, clause No. 1 of the title "Forfeiture of membership" be stricken out, and the corresponding changes made in the title "Initiation fee and annual assessment."

That to the sub-title "*Vice President*" under the title "Officers and their duties" be added the words: "or inability to perform the duties of his office."

That the second sentence of the sub-title "Treasurer" of the last named title read as follows: "He shall pay no moneys, except by a vote of the society, or by order of the board of directors, or of the president." That from the same sub-title the following words be omitted: "Countersigned (the official check) by the president or one of the vice presidents, or chairman of directors. A copy of this article shall be left at the place of deposit, and the signatures of the officers for countersigning, and of the treasurer, shall also be left there."

That the title "Alteration in the Constitution" read as follows: "This constitution may be altered or amended by the vote of a majority of the members present at any regular meeting."

The report of the committee was received and all the amendments unanimously adopted. On motion the treasurer was instructed to refund all annual dues paid during the present annual session.

The secretary was authorized to procure a seal for the society.

Adjourned.

REPORT OF THE PRESIDENT.

JANUARY 12, 1886.

Simply for a compliance with a constitutional provision of this organization, referring to duties of president, I have very briefly to say: That since our last annual meeting the first volume of our proceedings and work has been printed and given to the public. I believe it has been acceptable, at least as a beginning.

This, you are aware, was prepared by the president after the former secretary had left the state, and before the present efficient secretary had entered upon his duties.

In preparing this report for submission to the governor, and for the printer, I was necessarily compelled to keep within the prescribed limits of a legislative appropriation to print. We have in hand a collection of crude material, to be classified for future publication. I am pleased to announce that I have obtained a copy of what is known in the West as the "Allis Manuscript"—the only copy. This is an accurate and detailed record of events in the Northwest, kept by an intelligent, careful observing man, the Rev. Allis, who came as a missionary among the northwestern Indians in a very early day, as far back as 1834. There is much in this record of valuable history to Nebraska, Kansas, and Missouri. I have been engaged for ten years past endeavoring to become possessor of these papers. The secretary will, during this session, as may suit your pleasure, read such portions of interest as pertain to Nebraska.

I am exceedingly anxious that some means be provided and inaugurated whereby we can the more generally enlist our people in the work and object of this organization. This I have repeatedly referred to heretofore, urging as one particular reason the importance of obtaining data from the earliest settlers, who alone can furnish them

before they pass from among us. This is the more forcibly impressed at present, from the fact that since our last meeting four old settlers who could have given much of value have died—Hugus, Johnson, Graff, and Allan. Several plans are suggested. One particularly, I think, could be made productive of good. The quarterly meetings provided for by our amended constitution should be held in different parts of the state, and made to partake more of a social than purely business character. A time and place where those interested could assemble about a companionable board, if you please, and talk history in a familiar, conversational style, having a competent stenographer present to preserve and make record of all worthy matter. In this way men, women, and children might indite much of value not otherwise obtainable. Another feasible plan will be to enlist the “Old Settlers’” organization in different parts of the state as auxiliary to this society.

Now that we are not, as heretofore, entirely dependent on voluntary membership contributions, I am inclined to the opinion that our membership would be enlarged by decreasing our membership and annual dues; the former from \$3 to \$2, and the latter from \$2 to \$1; or, leaving the membership as it now is, and doing away with the annual dues.

RORT. W. FURNAS.

REPORT OF THE RECORDING SECRETARY.

JANUARY 12, 1886.

I have the honor to submit the following report of the condition and progress of the society for the past year. In January, 1885, the library contained the following volumes:

Catalogued books and pamphlets.....	144
Uncatalogued “ “	80

Total number.....	224
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During the year have been added the following volumes:

By gift from individuals.....	121
By exchange.....	83

Total number.....	204
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Number now in the library.....	428
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Besides this collection of books and pamphlets the society possesses some material in the form of manuscripts, newspaper cuttings, etc., of considerable value; also the nucleus of a collection of relics. In general it may be stated that while our library and cabinet are insignificant indeed as compared with what they should be, still they contain material which will be precious to the future historian of Nebraska.

Among our recent additions should be particularly mentioned a collection of thirty-eight centennial county histories of this state, together with other valuable documents, for which the society is indebted to ex-Governor R. W. Furnas. Several of these pamphlets are genuine contributions to the early history of the territory.

The past year marks an important epoch in the history of the society through the publication of the first volume of our "Transactions and Reports." Many copies have already been distributed, upwards of 150 having been sent to historical societies and libraries in this country, and it is the intention to send others to the leading societies of Europe. In exchange we have already received many valuable books and documents. It is safe to say that ultimately we shall receive several fold the number of volumes distributed by us in this way. But aside from the rapid and valuable additions to our library, the publication of the report has had another and more important result: We have been brought at once into active and friendly relations with our fellow societies throughout the country. For the first time we have received full recognition and taken an honorable and accredited place in the ranks of those fraternities which are taking the lead of all other agencies in preserving the origins of American history. It is significant, that the most recent innovation in methods of instruction adopted by the great universities consists in the adaptation of the society plan to academic work. It may be added that our report has found a most hearty and encouraging reception in all quarters.

In accordance with the recommendation of the society at its last meeting, an effort has been made to secure suitable apartments in the university building for our effects and collections.

Owing to the lack of rooms for the instructors and officers of the institution, the best that could be done was to allow us space for the storage of our present collections and other property. It is probable that soon the authorities of the university will be able to offer us better accommodations. But this is a matter of the first importance.

Another year should not pass without the securing of ample and well furnished rooms. Already several prominent gentlemen of the state have intimated that they stand ready to donate valuable relics, documents, and other matter whenever the society is in a condition to preserve them safely. We must depend upon the munificence and public spirit of private citizens for such collections. They cannot be bought, and the moment we possess good and safe quarters, properly furnished and equipped for exhibiting them to advantage, many will be glad to bestow their treasures upon us. Let us keep in view the splendid monument which Wisconsin has erected in her own honor! The magnificent library and treasures of her state historical society are the pride of the West. We have, unfortunately, lost the patrimony which would have made us independent. But, if we do our part, this loss will be more than repaired by the bounty of a people whose energy has already achieved so much in public works.

GEO. E. HOWARD.

TREASURER'S REPORT FOR 1884.

I beg leave to submit my annual report as your treasurer for the year ending Dec. 31, 1884, to-wit :

	DR.
1884, Jan. 1. To balance on hand as per last report.....	\$ 526.61
“ July 3. To annual state appropriation.....	500.00
“ To interest on warrants	2.62
“ Nov.19. To interest on deposits to Jan. 1, 1885.....	41.16
	<hr/>
	\$1,070.39
	CR.
“ March 24. By bill paid <i>Nemaha Granger</i> , 1,000 circulars.....	7.50
	<hr/>
To balance on hand Jan. 1, '85.....	\$1,062.89

Respectfully submitted,

W. W. WILSON,

Treasurer.

TREASURER'S REPORT FOR 1885.

I have the honor to submit my report as your treasurer for the year ending Dec. 31, 1885:

		DR.
To balance on hand as per last report	\$1,062.89	
Jan. 13. To annual dues received.....	20.00	
June 21. To annual state appropriation	500.00	
Dec. 31. To interest received on deposits.....	49.80	
Total.....	\$1,632.69	
		CR.
Jan. 16. By balance paid Gov. Furnas for incidentals.....	\$ 250.00	
By balance paid State Journal.....	3.35	
By balance paid State Journal.....	9.50	
June 17. By balance paid H. W. Hardy, case.....	40.00	
Aug. 29. By balance paid Allis Manuscript	52.55	
By balance paid Gov. Furnas, incidentals.....	33.75	
Nov. 23. By balance paid A. Watkins, postage	20.00	
Total.....	\$ 409.15	
To balance on hand.....	1,223.54	

Respectfully submitted,

W. W. WILSON,

Treasurer.

ADDITIONS TO THE SOCIETY LIBRARY.

BY GEO. E. HOWARD, LIBRARIAN.

During the past two years a special effort has been made to place the society in proper relations with other similar organizations through the establishment of a permanent exchange list. The effort has been fairly successful, as shown by the detailed record of receipts herewith submitted. But it should be noted that the large correspondence carried on with this end in view has just begun to produce its expected results; the greater portion of the books marked as received since January, 1885, have been added during the past few months.

The generous liberality with which we have been treated by many of the older societies places us decidedly at a disadvantage, having, as yet, very little to offer in exchange. To these organizations and to those individuals who have made contributions it is fitting that our grateful thanks be here publicly expressed.

The society now possesses the nucleus of an excellent special library. But it has made but a meagre beginning in collecting books, documents, and relics relating to our own local history—the chief object, of course, of its existence. We rely upon the patriotic liberality of the people of Nebraska to supply this deficiency. In the following list appear the names of several gentlemen who have made extensive and valuable contributions to our local collections. To these our thanks are particularly offered.

It is greatly to be regretted that the list of donors previous to January 1, 1885, is necessarily incomplete. When, at that time, the duties of librarian devolved upon me, a considerable number of books and pamphlets came into my hands uncatalogued and with no record whatever of the sources from which they were obtained. I should be glad to receive any assistance from donors or others in completing the record of previous gifts.

BOOKS RECEIVED BY GIFT AND EXCHANGE PREVIOUS TO JANUARY
1, 1885.

AUGHEY, PROF. SAMUEL:

- Register and Catalogue of the University of Nebraska, 1871-2, 1872-3, 1874-5,
1876, 1877, 1878.
Chancellor's Report to the Board of Regents, University of Nebraska, 1873,
1874, 1875.
By-Laws of the Board of Regents of the University of Nebraska, 1876.
Report of Conference held at Omaha by the Governors of States and Others on
the Locust Question, 1876.
Bulletins of U. S. Entomological Commission, Nos. 1 and 2.
Catalogue of the Flora of Nebraska, by S. Aughey, 1875.
Catalogue of Land and Fresh Water Shells of Nebraska, by S. Aughey, 1877,
Superficial Deposits of Nebraska, by S. Aughey, 1875.
Notes on the Food of the Birds of Nebraska, by S. Aughey.
The Renovation of Politics, by S. Aughey, 1861.
Two other pamphlets.

ADAIR, HON. WILLIAM:

- Dakota City Mail*, July 24, 1876, containing the "Centennial History of Da-
kota County," by William Adair.

BENTON, CHANCELLOR A. R.:

- Register and Catalogue of the University of Nebraska, 1871-2, 1872-3.
Addresses and other Proceedings of the Indiana College Association, First
and Third Annual Sessions, two pamphlets.
History of Horace Mann, by A. R. Benton, A.M., LL.D.
Address at the Alumni Reunion, Butler University, by A. R. Benton, A.M.,
LL.D.

BLOOMER, MRS. AMELIA:

- A Manuscript History of the effort to pass a bill for universal suffrage through
the Nebraska Territorial Legislature, prepared by the donor.

BRUNER, URIAH:

- History of Cuming County, Nebraska, by E. N. Sweet.

BUREAU OF EDUCATION:

- Circular of Information No. 6, 1884.

BURLINGTON & MISSOURI R. R. LAND DEPARTMENT:

- Nebraska as it is, Resources, Advantages, Drawbacks, 1878, two copies.
Description of Nebraska, Centennial pamphlet.

CHASE, COL. CHAMPION S.:

- Oration at York, Neb., July 4, 1878, by the donor.
- Mayor's Message, Omaha, 1880.
- The Great American Desert, a pamphlet.
- Address at State Fair, 1879, by donor.

CHICAGO HISTORICAL SOCIETY:

- Constitution and By-Laws of the Society.
- Brief History of the Society.
- Early Society in Southern Illinois.

FURNAS, GOV. R. W.:

- Charter of Historical Society of New Mexico.
- A Sketch of Nebraska City and the Act consolidating Nebraska, Kearney, and South Nebraska cities.

FIFIELD, HON. L. B.:

- Catalogue of Minerals.

HOLMES, HON. C. A.:

- Historical Sketch of Johnson county, Nebraska, July 4, 1876, by Andrew Cook.

HUNGERFORD, HON. E. M.:

- Beds of Lignite; or Brown Coal Deposits West of Missouri River.

JACKSON, E. C.:

- History of Washington county, Nebraska, by Hon. Perry Selden, 1876.

KIMBALL, THOS. L.:

- Resources and Attractions of Utah, 1879.

MARYLAND HISTORICAL SOCIETY.

- Constitution and By-Laws of the Society, 1844.
- Annual Report of the President of the Society, 1850.
- Catalogue of Paintings, Engravings, etc., of the Society, 1853.
- Catalogue of Manuscripts, Maps, Medals, Coins; an account of the Library of the Society, by L. Mayer, 1854.
- Annual Report of the President, 1854.
- A Sketch of the Life of Benj. Banneker, by J. Saurin Norris, 1854.
- Martin Behaim, the German Astronomer and Cosmographer of the Times of Columbus, by John G. Morris, D.D., 1855.
- The Early Friend or Quakers in Maryland, by J. Saurin Norris, 1862.
- Who were the Early Settlers of Maryland? By Rev. Ethan Allen, D.D., 1865.
- The Annual Address before the Society, December 17, 1866. By Hon. William F. Giles.
- Annual Report of the President, 1858.
- Constitution and By-Laws of the Society, 1867.

- Memoirs of Jared Sparks, LL.D. By Brantz Mayer, February 7, 1867.
- Memoir of John H. Alexander, LL.D. By William Pinkney, D.D., May 2, 1867.
- History, Possessions, and Prosperity of the Maryland Historical Society. By Brantz Mayer, 1867.
- The First Commander of Kent Island. By Sebastian F. Streeter.
- Peabody Memorial. By Brantz Mayer, January, 1870.
- Settlement of Ellicott's Mills, etc. By Martha E. Tyson, 1865.
- A Lost Chapter in the History of Maryland. By J. H. B. Latrobe, 1871.
- The First Steamboat Voyage on the Western Waters. By J. H. B. Latrobe.
- Narrative of a Voyage to Maryland, 1635-8. By Father Andrew White, S.J.:
An Account of the Colony of the Lords Baltimore, edited by Rev. E. A. Dalrymple, S.T.D., 1874.
- Extracts from Different Letters of Missionaries, 1638-1677. Edited by Rev. E. A. Dalrymple, S.T.D., 1877.
- The Lords Baltimore. By J. G. Morris, D.D., 1874.
- Early History of Maryland. Paper relating thereto. By S. F. Streeter, 1876.
- A Sketch of the Life of Dr. James McHenry, Aide-de-Camp and Private Secretary of Washington, Aide-de-Camp of LaFayette, and Secretary of War, 1796-1800.
- Maryland's Influence in Founding a National Commonwealth, etc. By. H. B. Adams, Ph.D., 1877.
- Wenlock Christison, and the Early Friends in Talbot county, Maryland. By Samuel Harrison, M.D., 1878.
- Expedition of LaFayette Against Arnold. By John Austin Stevens, 1878.
- Johns Hopkins University, Third Annual Report, 1878.
- Charter, Constitution, and By-Laws of the Society, with a List of Officers and Members, and a Catalogue of Publications, 1844-1878.
- Proceedings of the Society on 150th Anniversary, October 12, 1880.
- Character of the Province of Maryland. By Geo. Alsop, 1666, reprinted in Baltimore, 1880.
- Maryland Historical Society and the Peabody Institute Trustees, 1866.
- Memoir of Hon. William Hindman. By Samuel A. Harrison, M.D., 1879.

MINNESOTA HISTORICAL SOCIETY:

- Charter, Constitution, and By-Laws of the Society, 1868.
- Annual Reports of the Society, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1877.
- Collections of the Society, Vol. III., Part 3.
- Biennial Report of the Society, 1881.
- Hennepin Bi-Centenary.
- A Sketch of the Objects, etc., of The Old Settlers' Association of Minn., 1872.

MORTON, HON. J. STERLING:

- Speech at Nebraska State Fair, Lincoln, Sept. 2, 1873. By the donor.
- Commemorative Pamphlet in relation to July 4, 1876. History of Nebraska City and Otoe county, 2 copies. By the donor.
- The Foes of the Farmers. An Address delivered at the State Fair, Omaha, by Prof. A. J. Perry, of Williams College.

Railroads, the Relation to the Public, etc. By the donor.

An Address on Forestry before the Otoe Horticultural Society. By John A. Warder.

Memoir of Caroline Joy French Morton. By James M. Woolworth.

PADDOCK, SEN. A. S. :

Report of Smithsonian Institution for 1877.

Annual Address before the Jefferson County Agricultural Association. By the donor.

Public Libraries of the U. S., parts I. and II., 1876.

PERRY, PRESIDENT D. B. :

Catalogues of Doane College, 1877-8 and 1878-9.

POPPLETON, HON. A. J. :

An Address on "Character" etc., delivered before the University of Nebraska, June 27, 1877. By the donor.

ROGGEN, HON. E. P. :

House Journal of Nebraska Legislature for 1864.

House Journal of Nebraska Legislature for 1856.

SMITH, D. N. :

Articles of Incorporation of Republican Valley Land Association, 1874, 2 copies.

SMITH, C. A. :

American Cattle. By Lewis F. Allen.

STOCKING, HON. MOSES :

History of Saunders county, Nebraska. By the donor. 2 copies.

Homes in Saunders county.

ST. LOUIS ACADEMY OF SCIENCE :

The Charter of the Academy.

TAGGART, REV. J. M. :

History of Baptist Indian Missions, 1840.

TENNESSEE HISTORICAL SOCIETY :

Charter and By-Laws.

WHEELER, HON. D. H. :

The "Nebraska Patron," March 31 to October 26, 1876, being eleven numbers —all published.

The "Grange Visitor," 1877.

Iowa "Stock Journal, and Brain and Muscle," four numbers.

"Brain and Muscle," eight numbers. Subsequently united with the preceding.

Centennial History of Plattsmouth, and Cass county, Nebraska. By Dr. A. L. Child.

- Annual Tournament of the Nebraska State Sportsmen's Association, Platts-mouth, May 22, 23, 24, 1877. Address of retiring President Kennedy.
- Transactions of Nebraska Horticultural Society, 1877.
- Premium List of Nebraska State Board of Agriculture, 1878.
- Second Annual Report of State Board of Agriculture, 1868.
- Report of Illinois State on Centennial Management, 1877.
- Rocky Mountain Gold Regions, 1861.
- How the West has moved on. Address by Prof. Rodney Welch, of the Chicago *Times*, before the State Board of Agriculture, Sept 27, 1877.
- Annual Message of Governor Saunders, Omaha, January 7, 1864.
- Funeral Sermon on the death of Abraham Lincoln. By Rev. F. M. Dimick, April 19, 1865.
- First Annual Report of the Trade and Commerce of Omaha, December 31, 1877.
- Report of the New York Commissioners to revise the laws for the Assessment and Collection of Taxes.
- Dedication of the Free Public Library of Concord, Mass., October 1, 1873. By R. W. Emerson.
- Overland Route to California. By Andrew Child, 1852.
- Furnas-Herald Libel Suit, 1872.
- Double Track Railway from Tide-water to Council Bluffs.
- Council Journal of Legislation of Nebraska, 1864.
- Impeachment of David Butler, 1871.
- Second Annual Report of the State Superintendent of Public Instruction, 1872.
- Centennial History of Butler county, Nebraska. By J. L. Brown. 2 copies.
- Historical Sketch of Knox county, Nebraska. By G. S. Draper, 1876.
- Address on the State of Affairs in Utah, 1863.
- Address of Hon. Moses Stocking at the State Fair, 1875.
- Address of Hon. A. S. Paddock at the State Fair, 1875.
- Brief History of Agriculture. By H. G. Davis.
- A Condensed History of the Great Robbery in Michigan University.
- Other Miscellaneous Pamphlets, 12 in number.

WILLIAMS, O. T. B. :

- Emigration to Nebraska. Letters issued by the Hibernian Society of Omaha, 1866.

BOOKS RECEIVED BY GIFT AND EXCHANGE SINCE JANUARY 1, 1885.

ADDEMAN, HON. I. M., SECRETARY OF RHODE ISLAND :

- Rhode Island Colonial Records, Vols. 2, 6, 7, 8, 9, 10.
- Rhode Island State Census, 1875.
- Memorial of Hon. H. B. Anthony.
- Providence County Court House Proceedings.

AMERICAN CONGREGATIONAL ASSOCIATION :

Reports, 1867-1886, 20 pamphlets.

Dedication of the Congregational House, and Brief History of the Association,
8vo.

AMERICAN HISTORICAL ASSOCIATION :

Papers of, Vol. 1, No. 3.

AMERICAN GEOGRAPHICAL SOCIETY :

Bulletins, 1882-7, fourteen numbers.

AMERICAN NUMISMATIC AND ARCHÆOLOGICAL SOCIETY :

Catalogue of Books in Library of.

Medals of Giovanni Cavino.

Roman Denarii, Paduan Medallions, etc.

Journal of Numismatics, July, 1885.

ALLAN, HON. J. T.:

Guide to the Lands of the U. P. R. R. Co. By the donor.

Nebraska and Its Settlers. By the donor.

Corn Is King. By the donor.

Central and Western Nebraska. By the donor.

Creameries and Dairying in Nebraska. By the donor.

ANDREWS, DR. ISRAEL W.:

Catalogue of Marietta College, 1885-6.

The Fiftieth Anniversary of Marietta College, 1885.

AUGHEY, PROF. SAMUEL :

Artesian Wells on the Great Plains.

Forestry of Mississippi Valley.

BANGOR HISTORICAL SOCIETY :

Centennial Celebration of the Settlement of Bangor, Sept. 30, 1869 ; 8vo.

BUFFALO HISTORICAL SOCIETY :

Publications, Vol. 1, 1879 ; 8vo.

Annual Report of Board of Managers, 1886.

BUREAU OF EDUCATION, WASHINGTON :

Education in Japan.

Reports of the Commissioner of Education for 1882-3, 1884-5.

Circulars of Information, No. 5, 1885, Nos. 1, 2, 1886.

BOSTON MEMORIAL ASSOCIATION :

The Constitution of, Dec. 2, 1885.

BRADLEY, REV. CALEB D., BOSTON :

Twenty-five pamphlets and other documents.

BROWN, HON. GUY. A.:

Reports of Nebraska State Librarian, 1883-4, 1886.
Library Magazine, March, 1886, to February, 1887.
Co-operative Index to Periodicals for 1886.

CORNELL UNIVERSITY:

The "Library," 1883-4.

CHAUTAUQUA SOCIETY OF HISTORY AND NATURAL SCIENCE:

Birds of Chautauqua County.
Pioneer Homes and Characteristics.

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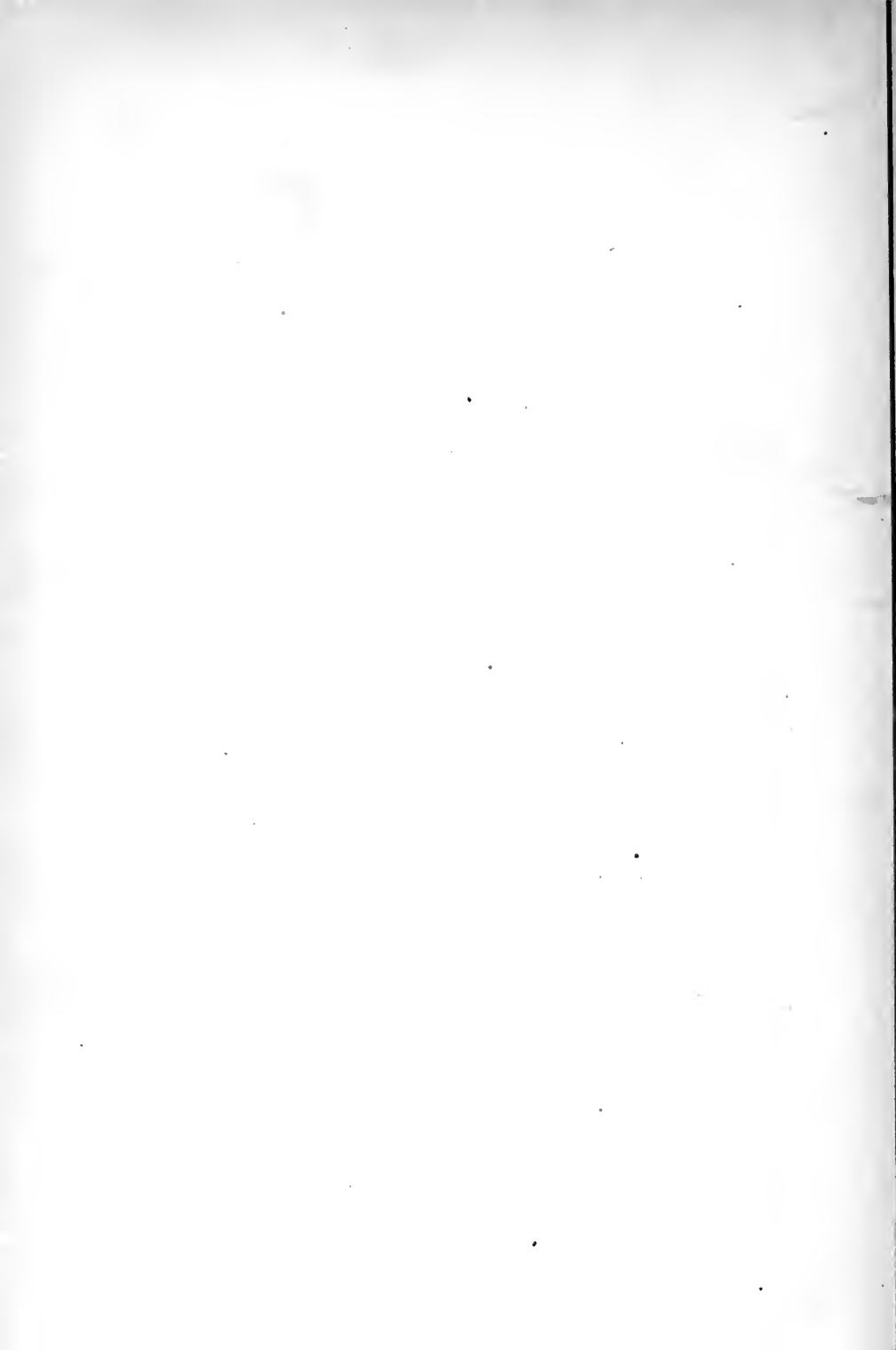
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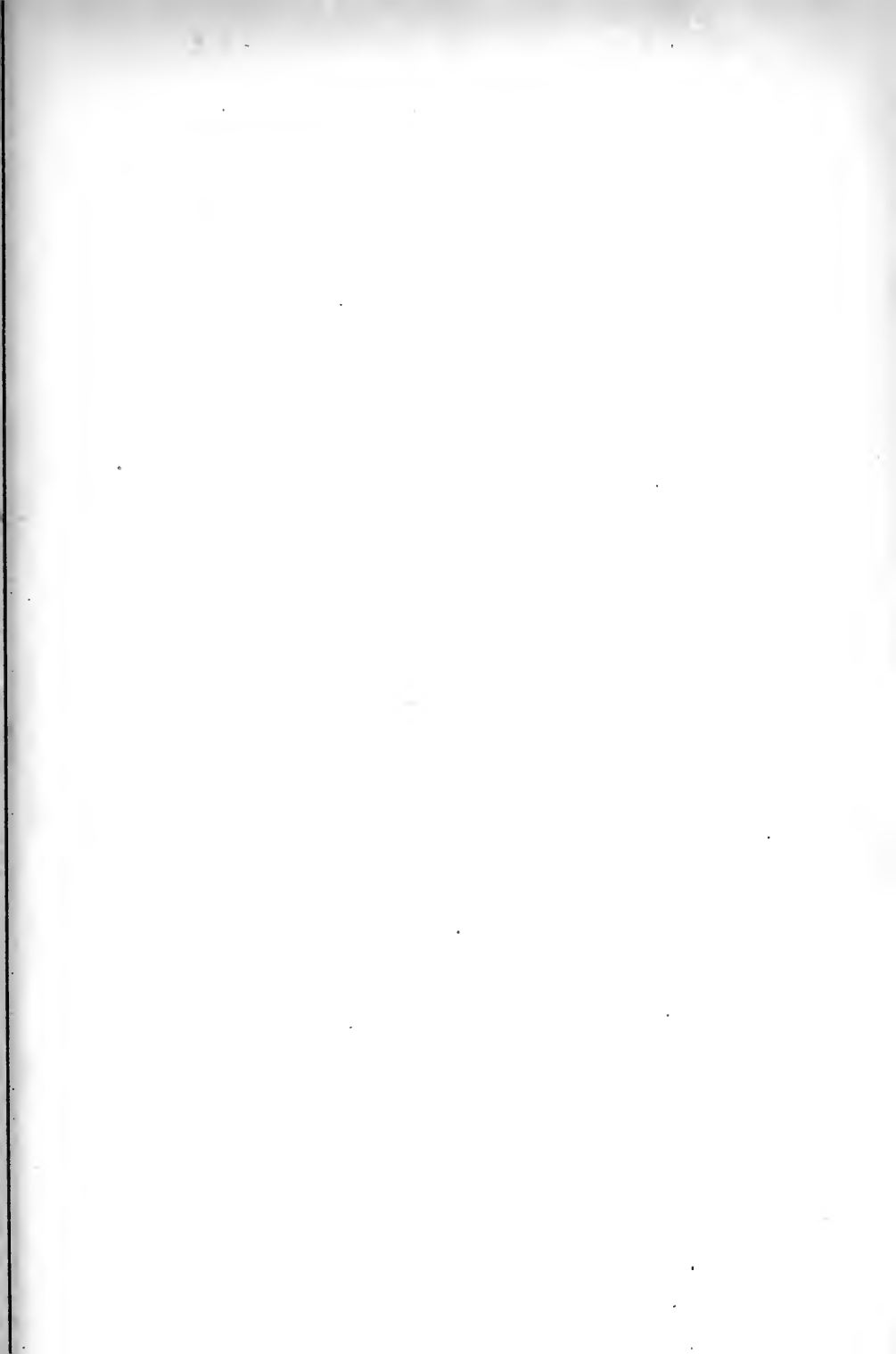
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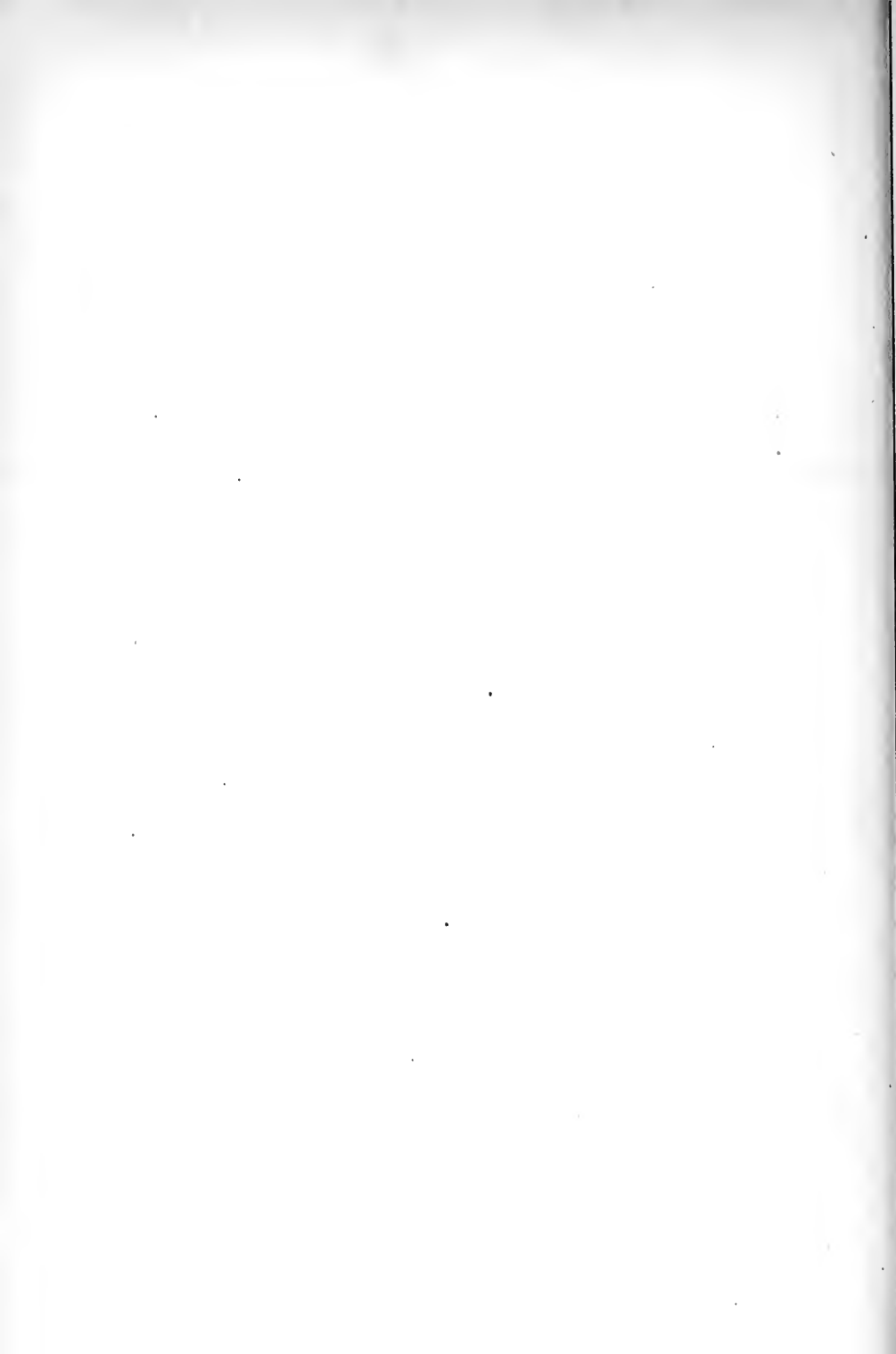
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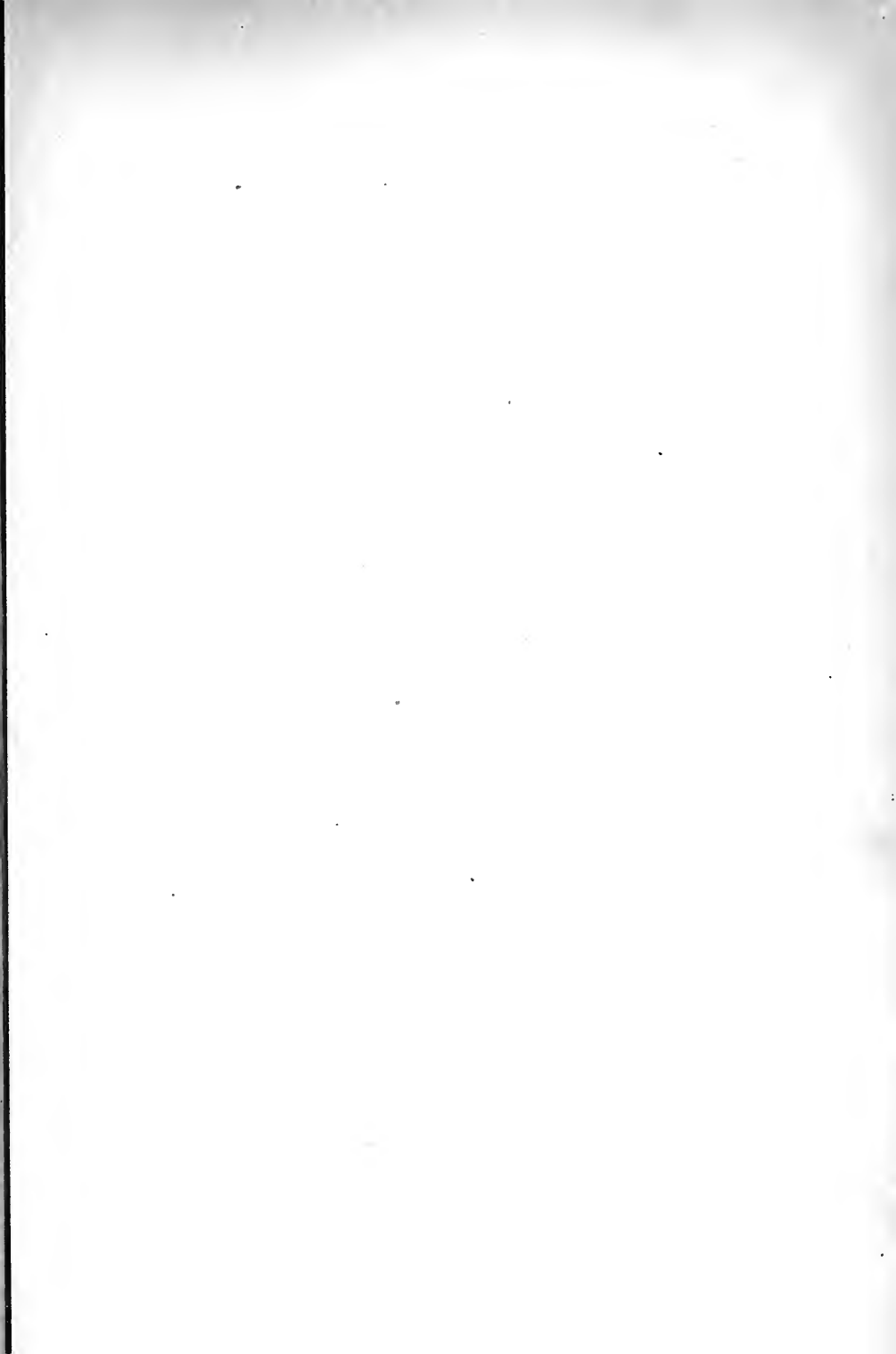
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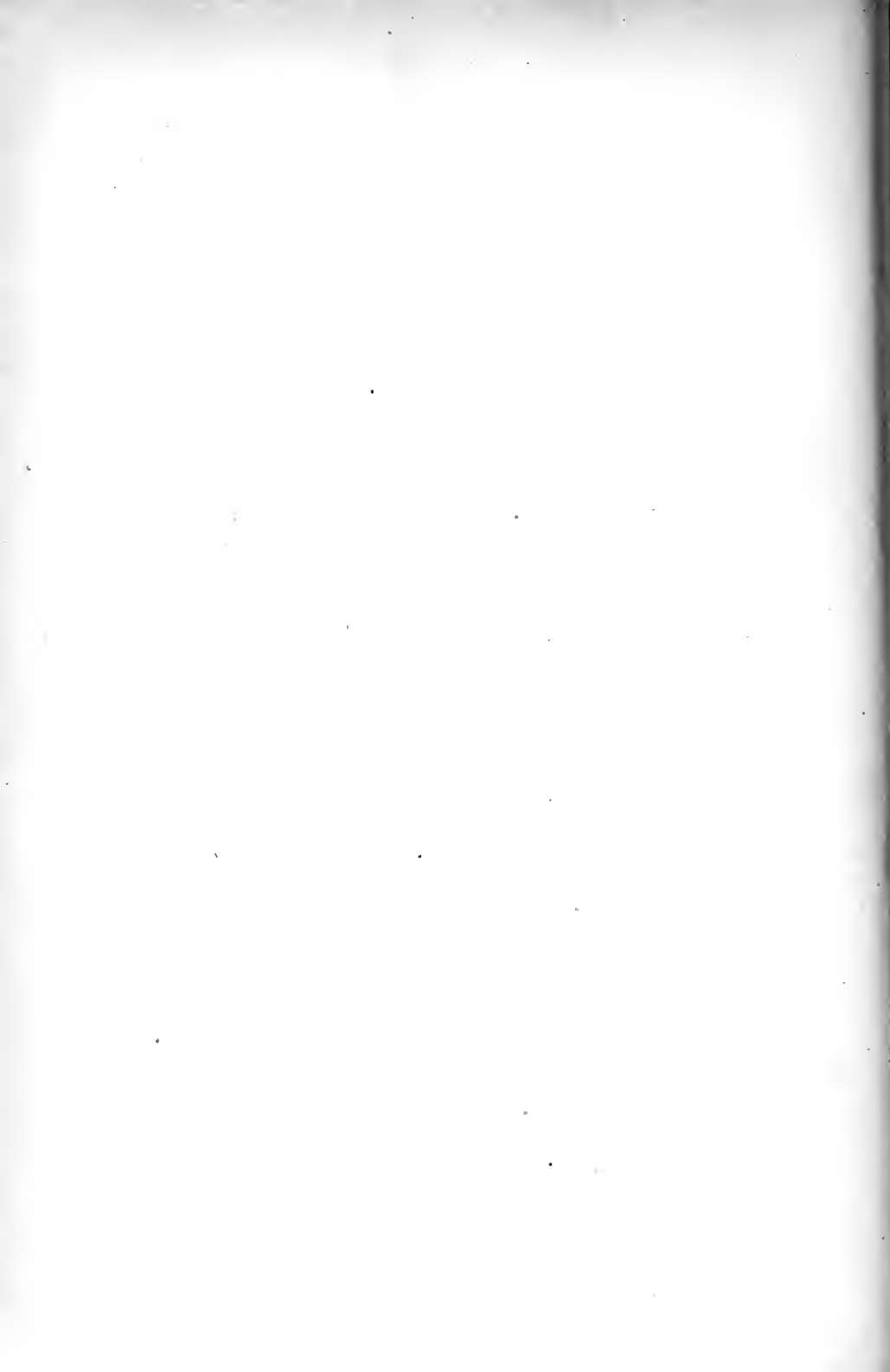
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